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*With regards of
H. C. Dallan*

Dec pages 14-15-29

WILL AND MEMORANDA

OF

JOHN MCDONOGH.

THE LAST
WILL AND TESTAMENT
OF
JOHN McDONOGH,
LATE OF
MACDONOGHVILLE, STATE OF LOUISIANA,
ALSO, HIS
MEMORANDA OF INSTRUCTIONS
TO HIS EXECUTORS,
RELATIVE TO THE MANAGEMENT OF HIS ESTATE,

PRINTED LITERALLY, BY ORDER OF THE EXECUTORS,
FROM AN AUTHENTICATED COPY.

NEW ORLEANS:
PRINTED AT THE JOB OFFICE OF 'THE DAILY DELTA,' 112 POYDRAS ST.
1851.

PREFACE.

JOHN McDONOGH, born in Baltimore, Maryland, 1779.

DIED in McDonoghville, Louisiana, on the 27th October, 1850.
Handwriting of his Will proved on 29th October, 1850, in the Fifth
District of New Orleans, by JOHN R. GRYMES, F. FREY, and M.
GRIVOT.

STATE OF LOUISIANA,
FIFTH DISTRICT COURT OF NEW ORLEANS.

WILL OF JOHN McDONOGH,

Filed 28th October, 1850.—Ne varietur, 28th October, 1850.
(signed,) A. M. B., JUDGE.

IN THE NAME OF GOD, AMEN. I, John McDonogh, a native of the City of Baltimore, in the State of Maryland, United States of America, now an inhabitant of McDonogh in the State of Louisiana, aware of the uncertainty of this mortal life, yet of sound mind and memory, for which, and all other blessings, thanks to Almighty God, do make this, my Olographic Will, as my last Will and Testament, for the disposal of all my worldly property and effects, of every kind, of which I may die possessed, in manner and form following; That is to say, (First, declaring that I have never been married, and that I have no heirs living, either in the ascending or decending lines) I will, that immediately after my death, an inventory shall be made of all my property, and effects, by a Notary Public, assisted by two or more persons, whom my Executors (herein after named) shall appoint, the same to be done on]oath. I give, will, and bequeath to the Children of my Sister Jane, the Widow of a Mr. Hamet of Baltimore, in the State of Maryland, in equal proportions, all that Lot, or parcel of ground, (with the improvements thereon) laying in Baltimore County and State of Maryland, Containing ten acres, more or less, which lot

of ground I acquired by purchase, on the twenty seventh day of February in the year of our Lord Eighteen hundred and nineteen, of John Pogue, of the said City of Baltimore, as per deed of conveyance to me enregistered on the same day, by William Gibson, Clerk of the Baltimore County Court, among its land Records;—The unsufruct, however of the afore mentioned landed property and improvements, I give and bequeath to my said Sister Jane, during her lifetime.—I give, will, and bequeath, to my said Sister Jane, Widow Hamet, the sum of Six thousand dollars, recommending to her, my said Sister, to place said Six thousand dollars, on interest either in Bank Stock, or otherways, and by economy, to make the interest thoreof, support her in her old age.—I will and bequeath, their freedom, (as a reward for their long and faithful services,) to my old servants, Gabriel, James Thornton, Tanness or Dennis, Noel, Mark, Old John, John Defage, Old Harry, Richard, and Long Mary, requesting my Executors (herein after named) to take the necesssary steps, in conformity to law, to see this, my will and desire executed.

It is my will and I direct my Executors, (herein after named,) immediately after my death, to correspond with the American Colonization Society, at the City of Washington, in the District of Columbia, for the purpose of ascertaining, when said Society, intends sending a vessel to Liberia, on the Coast of Africa, with emigrants, from New Orleans, and by the first vessel, so sailing from New Orleans, for Liberia, to send all the rest and residue of my black people, old and young, (with the exception of, the ten aforementioned individuals, to whom I have directed their Freedom to be given, here, in New Orleans.) men, women and children, (and also, with the exception of the black man Phillip, his wife Fanny and their children, the black woman Jane or Jenny, and her children, the mulattoe man George, a carpenter by trade, the mulattoe boys William and Henry, carpenters by trade, the black men Houma, David Crocket and George Calhoun, the mulattoe or Griff boy Jerry, the black women Sophie and Dolly, Hagar, and Anna, or Hannah and their children, all of whom I have lately purchased, as it is my will, that they, the said Philip and Fanny his wife, and their children, Jane and her children, the mulattoe man George, a carpenter by trade, the mulattoe boys William, and

Henry Carpenters by trade, the black men Houma, David Crocket, and George Calhoun, the mulattoe, or griff, boy Jerry, and the black women Sophie, Dolly, Hagar, and Anna, or Hannah, and their Children, with any other black, or colored people, whom I may acquire by purchase subsequent to this, my last Will, and Testament, shall serve those, (by being hired out for wages, or kept employed on my plantations, if thereon, so employed, at my death,) to whom I have herein after willed the rest, residue and remainder of my Estate, real, and personal, fifteen years from and after my death ; when then, after said service of fifteen years, my Executors (hereinafter named) will deliver said black and colored people, up to the American Colonization Society for Colonizing the Free people of Color, of the United States, established at the City of Washington, in the District of Columbia, to be also sent to Liberia, on the Coast of Africa.) And to pay a proportionate part of the Charter of said Vessel for transporting them to Africa, furnishing them with provisions, stores, medicines &c, &c for the Voyage.—I also direct my Executors (hereinafter named) to lay out and expend for the use of those, my people, who are to go immediately after my death, to Liberia, the sum of One thousand dollars in such Articles as ploughs, hoes, spades, axes, nails, common locks, hinges, clothing, garden and other seeds &c. &c. and to divide out those articles among them in equal proportions, and see them put on board the vessel at the time of sailing.—My Executors will also be pleased to give letters of recommendation, to those my people, directed to the inhabitants of that Colony, setting forth their good characters, and the morality of their lives, as a passport to their good opinions, and to purchase and place in the hands of each of said individuals, old and young, at the moment of sailing for Africa, the volume of the Holy Gospel of the Old and New Testament, as the most precious of all the gifts we have it in our power to give or they to receive.—And for the more general diffusion of Knowledge, and consequent well being of Mankind, convinced as I am that I can make no disposition of those Worldly goods which the most High has been pleased so bountifully to place under my Stewardship, that will be so pleasing to him, as that by means of which the poor will be instructed in Wisdom and led into the path

of virtue and Holiness,)—I give will and bequeath, all the rest, residue and remainder of my estate, real and personal, present and future, as well that which is now mine as that which may be acquired by me hereafter, at any time previous to my death, and of which I may die possessed, of whatsoever nature it may be, and wheresoever situate, (subject to the payment of the several annuities or sums of money hereinafter directed and set forth; which said annuities or sums of money, are to be paid by the devisees of this my General Estate, out of the rents of said estate.) Unto the Mayor, Aldermen and inhabitants of New Orleans, (my adopted city) in the State of Louisiana, and the Mayor, Aldermen and inhabitants of Baltimore (my native City) in the State of Maryland, and their Successors, in equal proportions of one-half to each of the said Cities of New Orleans and Baltimore) forever; To and for the several interests and purposes, hereinafter mentioned, declared and set forth, concerning the same, and especially for the establishment and support of Free Schools in said Cities, and their respective Suburbs, (including the Town of McDonogh as a Suburb of New Orleans) wherein the poor. (and the poor only) of both sexes of all Classes and Castes of Color, shall have admittance, free of expense for the purpose of being instructed in the Knowledge of the Lord and in reading, writing, Arithmetic, History, Geography &c, &c, under such regulations as the Commissioners (to be appointed as hereinafter directed) of said Schools shall establish, always understood and provided however, that the Holy Bible of the Old and New Testament, shall be at all times and forever made use of in those Schools, as one, (and the principal one) of the reading and class books, which shall be used by the pupils therein as the first object of every School, And of all teaching of the youth of our Country should be to implant in their minds a Knowledge of their duty to God, and the relation of Men, to their divine Creator; And that Singing classes shall be established and forever supported, and singing taught, as a regular branch of education in said Schools, by which means, every pupil will acquire the rudiments of the Art, and obtain a Knowledge in singing Sacred Music.—As relates to my real estate, that no part thereof shall ever be sold or alienated by the said Mayors, Aldermen and inhabitants of the respective Cities of New Orleans and Baltimore, or their Successors,

but the same, shall for ever thereafter be let, from time to time to good tenants, the lots of ground improved with houses, laying in the City of New Orleans, its suburbs, Town of McDonogh, or elsewhere, let by the month or the year, and the unimproved lots of ground, in the City of New Orleans, its suburbs, Town of McDonogh or elsewhere, leased for a term not to exceed twenty five years at any one time (the rent payable monthly or quarterly) and to revert back at the end of said time, with all the improvements thereon, (free of cost, to the lessors.) to be rented thereafter by the month or year. And the lands wherever situate in the different parishes of the State, leased in small tracts, for a term not to exceed one to ten years, revertible back with their improvements, to be re-leased for a shorter time and at higher rates.—My intentions being, (I in consequence instructing my Executors (hereinafter named) to invest my personal effects, (say, money, bonds, notes or stocks on hand, interest accruing thereon, furniture of house in which I reside, and effects about it, as well as the amount of all debts owing to me as fast as they are received,) in real estate, say lots of ground and houses, and lots of ground laying in the City or suburbs of New Orleans, and hand over said real estate, as soon as purchased, with the title deeds thereto to the Commissioners and Agents of my General Estate, to be named by the respective Corporations of said Cities of New Orleans and Baltimore in the manner hereinafter directed.) So that by said means the whole of my estate real and personal (excepting only my black people, the legacy bequeathed the Children of my Sister Jane, and that to herself, will become a permanent fund on interest, as it were, (Viz: a fund in real Estate affording rents,) no part of which fund (of the principal) shall ever be touched divided sold or alienated but shall forever remain together as one Estate, (termed in this, my last will and testament as “My General Estate” or “The General Estate” and be managed as I herein direct. The nett amount of rents which shall be collected annually shall be divided equally, (half and half) between the said two Cities of New Orleans and Baltimore by the Commissioners and agents of my General Estate, (to be named in the manner herein after directed) after paying the several annuities and sums of money hereinafter provided for and set forth, and applied forever to the purposes for which it is hereby intended and destined.—FIRSTLY,

I give and bequeath to the American Colonization Society for Colonizing the Free people of Color of the United States, established at the City of Washington in the District of Columbia, for the purposes of its noble and philanthropic institution, an Annuity for the term of Forty Years, Counting from and after the day of my decease of the one eighth part, (or twelve and a half per cent) of the nett yearly revenue of rents of the whole of the Estate as herein before willed and bequeathed unto the Mayors, Aldermen and inhabitants of the Cities of New Orleans and Baltimore, but which one eighth part of the nett yearly revenue of rents of said Estate as aforesaid shall not entitle the said American Colonization Society for colonizing the Free people of Color of the United States, to receive or demand in any one year a larger sum than Twenty five thousand dollars, should the one eight part thereof amount to a larger sum.—Trusting in full confidence that the inhabitant of this free and happy land throughout all its borders, from Maine to Louisiana, will sustain this institution, (one of the greatest glories, of our country,) and enable it to accomplish its humane and holy object in its full extent.—And notwithstanding that I look upon and consider the instruction of the poor in the Knowledge of God and the wisdom of Man, as the first, best, and Holiest of all charities (as they are thereby taught their duty to their Creator, and those everlasting principles of virtue which instill self respect and teach men the dignity of their nature, which restrain them from falling into vice, and becoming in consequence inmates of the Penitentiary, or Alms house,) and do not consider the endowment of Asylums or Hospitals as the best mode of permanently serving and doing good to my fellow man, still as it is probable whilst the present race of men exists, constituted as we are, that some portion thereof, from the various causes to which frail humanity is liable, will fall into error, and of consequence, become helpless and destitute.—SECONDLY, I give and bequeath to the Mayor, Aldermen and inhabitants, of the City of New Orleans, in the State of Louisiana, and their successors, forever, for the express and sole purpose of establishing an Asylum for the poor, of both Sexes and of all ages, and castes of Color, where they may be sheltered, clothed, fed and taken care of, made useful according to their respective degrees of health, strength and capacity, and mendicity, thereby banished

from the Streets of the city, and its suburbs, (including the Town of McDonogh) an annuity of the one eighth part, (or twelve and a half per cent,) of the nett yearly revenue of the rents of the whole of the General Estate as hereinbefore willed and bequeathed unto the Mayors, Aldermen and inhabitants of the Cities of New Orleans, in the State of Louisiana, and of Baltimore in the State of Maryland, and their successors for ever ; the said annuity to be paid yearly, until such time, as the said one eighth part of the said nett yearly revenue of rents shall amount, to the full and entire sum of six hundred thousand dollars, when it shall cease, and be no longer paid.—And for the purpose of carrying this, my desire and intent into effect I request, authorize, and empower the City Councils of the City of New Orleans, on the First Monday in January of every year, to name and appoint one respectable Citizen out of each ward of the City and Suburbs of New Orleans, (including the Town of McDonogh) but who shall not exceed seven in number, nor be members of the said City Councils at the time, who shall be commissioners therein, which Commissioners So named, shall serve for the term of twelve Months, and until a new election, on the first Monday of January of the following year shall be made by the said City Councils of Commissioners, to replace those of the preceding year, (none of whom shall be elected for the second year,) and so on from year to year, to the end of time ; and said Commissioners shall have the management of said Institution, its funds, and everything in relation to it ; (the Mayor and City Councils of the City of New Orleans, having however, the general supervision, and to whom the Commissioners are liable for the faithful performance of their duty herein ; and to whom, annually, on going out of office, they must render accounts of their administration, showing particularly its receipts and expenses, state of its funds, its Real estate, &c, &c, which accounts will be audited, by the said City Councils, through a Committee, from their body, named for the purpose, and who will publish them yearly, in two of the public newspapers printed in the City of New Orleans.) The said Commissioners (to be named as aforesaid) will receive annually or semi annually, the amount of the annuity, until such time as they shall have received, according to this bequest the whole amount of it, say, the sum of six hundred thousand dollars ; and as they receive it, they shall invest it in

Bank Stocks, or other good securities, on landed estate on interest, so as to augment the amount thereof by the accumulation of interest to the largest possible sum, up to the time when the last of the annuity, shall be received by them ; at which time, (when the last of the annuity shall be received,) It is my desire, and I direct, the said Commissioners to take such part of said sum, (not to exceed however the one third of the whole amount of principal and interest which may have accrued thereon,) as may be necessary and invest it in the purchase of such landed Estate, and in the erection of such buildings, as will be appropriate to the object intended and wanting ; and in the furnishing of such buildings when completed, in beds, bedding, clothing, and all other necessary articles, and the residue of said sum, whatever it may be, (but which shall be at least the two thirds of the whole amount of principal and interest.) I direct to be invested in the purchase of real estate, say, lots of ground and houses, and lots of ground, situate in the City, or suburbs of New Orleans, (such lots of ground as will probably greatly augment in value.) which real estate, (when purchased, shall never thereafter be sold or alienated.) for the purpose of deriving therefrom, a permanent revenue, (in rents) for the support of said institution for ever ; as no part of the principal sum, or the interest which may accrue thereon, shall be taken for the support of the institution ; my intention being, that its support and the payment of all the expenses, necessary for its support, shall be supplied exclusively from the revenue in rents, of its real estate, and the revenue, derivable from the labor of the poor, its inmates.—(Which houses, as also the buildings of the institution, I recommend and direct to be kept constantly insured against the risk of fire, so that, if an accident should occur, there would be means to rebuild them,) I recommend to the Commissioners, to select a situation high and healthy, for the establishment of the institution ; say a tract of land of three or four acres in front on the river Mississippi, by forty or eighty acres in depth, situate within three, four or six miles of the City of New Orleans, on either bank above, or below it ; and to erect the buildings of Brick, in a style of taste and elegance, of great solidity, (as they are intended to stand for ages,) airy and of proportionate elevations.—They, the Commissioners, (to be named as aforesaid) are permitted however, at any time (when

they have money on hand, or stocks of this fund,) when opportunities offer of making good investments of it, in real Estate, (say, lots of ground and houses, and lots of ground, situated in the City of New Orleans or its suburbs, yielding rents, or likely to yield rents,) to invest such parts thereof as they think proper, (such purchases however to be approved by the Mayor and City Councils of the City of New Orleans,) in such Real Estate. And also, when an opportunity offers of acquiring such a tract of land, as will be wanted for the Institution, (at a cheap rate,) to purchase it.—And as I believe our climate and soil, well adapted to the cultivation of the mulberry tree, and the rearing of the silk worm, such a tract of land as I recommend the purchase of, if planted with mulberry and the cultivation of silk undertaken, which is a very light employment, well suited to the weak and aged,) would, I have no doubt, yield an annual revenue to the Institution, which would go far towards paying the expenses for its support; I therefore earnestly recommend its trial to the Commissioners.—I also recommend to the Commissioners, to apply to the Legislature of the State for an Act, to incorporate said Institution; (subject always however, be it understood to the conditions herein provided for.)—THIRDLY, I give and bequeath to the “Society for the relief of destitute Orphan boys” of the City of New Orleans in the State of Louisiana, (of which institution Beverly Chew was president on the 28th day of April last, 1838.) for the express and sole purpose (and of no other) of being invested in the purchase of Real Estate, say, lots of ground and houses, and lots of ground,) situate in the City of New Orleans and its Suburbs, from which a perpetual revenue from the rents of said Real Estate, may be drawn for the support of said Institution, an Annuity, of the one eighth part (or twelve and a half per cent) off the nett yearly revenue of rents of the whole of the General Estate, as herein before willed and bequeathed, to the Mayors Aldermen and inhabitants of the Cities of New Orleans, in the State of Louisiana, and of Baltimore, in the State of Maryland, which Annuity of the One Eighth part of the nett revenue of rents as above stated, shall be set apart yearly or half yearly by the Commissioners and Agents of the General Estate, (to be appointed as herein after set forth) and deposited in some one or more of the Banks in

the City of New Orleans, (which pay an interest on money deposited with them,) until such time as said Annuity shall amount to the sum of FOUR HUNDRED THOUSAND DOLLARS, (exclusive of any interest, which may have accrued on it,) when it shall cease and be no longer paid.—And as the said Fund of Four hundred thousand dollars, accumulates in Bank, The Directors, of the said “Society, for the Relief of destitute Orphan Boys” assisted, by the Mayor and Aldermen, of the City of New Orleans, Who, (the said Mayor, and Aldermen,) shall approve of the purchases, of real Estate, and become parties to the deeds, of which it is acquired, May, from time to time, (as good purchases offer,) Invest it in purchases of Real Estates, (as aforestated) Lots, and houses, and lots of ground laying within the City of New Orleans and its Suburbs, yielding rents, or likely to yield rents, and to increase greatly in value, which real Estate, once acquired, shall never thereafter be alienated or sold by said Institution, but shall for ever be retained and held by it, and remain its property.—The title deeds of purchase, by which, said institution shall acquire said real Estate, shall set forth that it is made from funds of this bequest, and that said real Estate, cannot be sold or alienated by said “Society for the relief of destitute Orphan boys.”—The funds, (when accumulated,) as wanted, for the payment of the Real Estate when purchased, (but for no other purpose,) shall be drawn from Bank, by the Commissioners, and Agents of the General Estate, and paid over to the Directors of said Society for the relief of Destitute Orphan Boys, and the Mayor and Aldermen of the City of New Orleans.—I recommend to the Directors of the Society, for the relief of the destitute Orphan Boys, to keep such houses, as may be purchased or built, with the Funds from this bequest, regularly insured against all risk by fire, by which means in case of Accident, they would have the means to reconstruct them.—FOURTHLY, I give and bequeath to the Mayor, Aldermen, and Inhabitants, of the City of Baltimore, in the State of Maryland, and their Successors, forever; for the express and sole purpose of establishing, a School Farm on an Extensive scale, for the destitute, and the Poorest, of the Poor, Male Children and Youth, (say Firstly, of the City of Baltimore, in the State of Maryland, Secondly, of every town and village of said State, and Thirdly, of *All*, the great maritime Cities, of the Unit-

ed States ; Say, New York, New Orleans, Philadelphia, Boston, Charleston, Savanah, Providence, Salem, &c. &c.) of all Castes of Color, from the age of Four years, to that of Sixteen years ; where they shall be sheltered, lodged, clothed, fed, instructed in the Christian religion, and a plain English education given them ; including reading, writing, Arithmetic, History, Geography, &c. &c. and taught practically, (by making them labor) the art of husbandry or farming, in all its parts and details ; as well as the Science, generally, of Agriculture. Under such regulations, as the Directors, (to be appointed as hereinafter set forth,) of said School Farm, shall establish, always understood and provided however, that the volume of the Holy Bible, shall be at all times, and for ever, made use of, in the School, or Schools of this Institution, as one, (and the principal one) of the Reading, or Class Books, which shall be used by the pupils therein ; as the first object of every School, and of all teaching of the youth of our Country should be, to implant in their minds, a knowledge of their duty to God, and the relation of men to their Divine Creator ; and that Singing Classes, shall be established and for ever supported ; and singing taught, as a regular branch of Education, in said Schools ; by which means, every pupil will acquire the Rudiments of the art, and obtain a Knowledge in Singing Divine Psalmody, or Sacred Music.—An Annuity of the One Eighth part (or twelve and a half per cent.) of the Nett yearly revenue of rents, of the whole of the General Estate, as hereinbefore Willed and bequeathed, unto the Mayors, Aldermen, and Inhabitants of the Cities, of New Orleans, in the State of Louisiana, and of Baltimore, in the State of Maryland, and their Successors for ever ; the said Annuity to be paid yearly, or half yearly, until such time as the said One eighth part, of the said, Nett, Yearly Revenue of rents, of said General Estate, shall amount to the full and entire sum of Three Millions of Dollars, when it shall cease and be no longer paid, But with the declared, and well understood condition, (for the purpose of paying off, this the fourth Annuity, in as short a space of time as possible,) that as any one, and all three, of the first aforementioned Annuities, are filled and paid off, or the time expires, (as in the annuity, to the American Colonization Society, for Colonizing the Free people of Color of the United States,) during which said Annunity is to be

paid, that then, from said periods respectively, (say, the periods, from which, the said three, foregoing Annuities, shall respectively be paid off, or expire,) the proportions of the Nett, yearly revenue of rents of the General Estate, which were payable respectively under them the said Annuities, shall go to, and be paid, to this, the Fourth and last Annuity, under this my last Will and Testament, bequeathed to the Mayor Aldermen, and Inhabitants of the City of Baltimore, in the State of Maryland, and their Successors, forever; for the purpose of establishing a *School Farm*, as also any surplus, should it so occur, (within the forty years that I have willed an Annuity of the One eighth part, or twelve and a half per cent, of the Nett yearly revenue of rents of the General Estate, to the "American Colonization Society, for Colonizing the Free people of Color of the United State,") above the sum of Twenty five thousand dollars, which said Society is authorized to receive in any one Year, and no more; by which means, the said Mayor, Aldermen and inhabitants, of the City of Baltimore, in the State of Maryland, and their Successors, for the purpose of establishing a School Farm, will, under this, the Fourth Annuity, receive, at one period, a proportion of said nett yearly revenue of rents of the General Estate, of the One Eighth part, or twelve and a half per cent; at another period of the one fourth part, or twenty five per cent, or more; at another period of the Three eighth part, or thirty seven and a half per cent or more; and at another period of the one half part, or Fifty per cent, of said Nett yearly revenue of rents, of the General Estate, until they shall have received, under said Annuity the full amount of Three Million of Dollars.— And the Mayor Aldermen, and inhabitants of the City of New Orleans, in the State of Louisiana, and the Mayor, Aldermen, and inhabitants of the City of Baltimore, in the State of Maryland, for the Establishment and Support of Free Schools in said Cities, and their respective Suburbs, will receive the one half of the nett yearly revenue of rents, of the General Estate, and no more, until such time, as the whole, of the Four Annuities, as set forth herein, shall be paid off; from which period, (the time when all Four of said annuities shall be paid off,) they, the said two Cities, of New Orleans, in the State of Louisiana, and Baltimore, in the State of Maryland, will receive, and divide

equally between them as herein set forth, and for the purpose as aforesaid, the whole of the Nett yearly revenue of rents, of the General Estate, to the end of time.)—And for the purpose of carrying this, my desire and intent, into effect, I request, authorize, and empower the Mayor and City Council, of the City of Baltimore, in the State of Maryland, on the First Monday of January of every Year, to elect one respectable citizen, out of each Ward of said City, and its Suburbs, but who shall not exceed seven in number, nor be members of the said City Council at the time, who shall be *directors* therein; which Directors so elected, shall serve for the term of twelve Months, and until a New election, on the First Monday of January of the following year, shall be made by the said Mayor and City Council, of Directors to replace those of the preceding year, (None of whom shall be eligible as Directors, for two Consecutive years,) and so on from year to year, for ever; and said Directors (elected as aforesaid) shall have the management of said institution, its funds, and every thing in relation to it; (the Mayor and City Council of the City of Baltimore, having, however the General Supervision thereof, and to whom the Directors are liable for the faithful performance of their duty therein, and to whom, annually, or going out of office, they must render Accounts of their Administration, showing particularly its receipts and expenditures, State of its funds, its real Estate, and every thing in relation to, and concerning said Institution, which Accounts must be audited by the said Mayor and City Council, through a Committee from their Body, appointed for the purpose, and who will publish them yearly in two of the public Newspapers, printed in the said City of Baltimore.) The said Directors, (to be elected as aforesaid,) will receive annually or Semi Annually the amount of the Annuity, until such time as they shall have received, according to this bequest, the whole Amount of it, say the sum of Three Millions of dollars; and as they receive it, they shall invest it in Bank Stock, or other good securities on landed estate, on interest, So as to Augment the amount thereof, by the accumulation of interest, to the largest possible Sum, up to the time when the last of the Annuity shall be received by them; at which time, (when the last of the annuity shall be received,) It is my desire, and I request and instruct, said Directors, to take such part of said sum,

(not to exceed however the one Sixth part of the whole amount, of principal and interest which may have accrued thereon.) as may be necessary and invest it in the purchase of such a tract, or tracts of Land and in the erection of such buildings, as will be appropriate to the object intended, and wanting ; and in the furnishing of said buildings, (when completed,) and lands in all necessary furniture, Beds, Bedding, Animals, plows, Harrows, Hoes, Spades, and other articles ; and the residue of said sum, (the whole of the residue thereof,) whatever it may be, (But which, shall be at least the Five Sixths, or five parts out of six parts of the whole amount of principal and interest,) I direct to be invested in the purchase of real Estate, Say, lots of ground and houses, and lots of ground, Situate in the City, Suburbs, and vicinage of Baltimore, in the State of Maryland, or tracts of land, in its immediate neighborhood ; Viz ; such lots, or lands, (to be all purchased under Fee Simple titles, as will probably greatly augment in value ;—Which real Estate, when purchased shall never be sold, or alienated, but shall be held and remain forever, the property of the institution ;) for the purpose of deriving therefrom a permanent and perpetual revenue ; (a Revenue from rents of Real Estate ; not from interest on money loaned or Stocks.) for the support of said Institution for ever.—As no part of the principal sum, or the interest which may Accrue thereon, shall ever be taken for the support of the Institution ; my intention being that its support shall be supplied exclusively, from the Revenue, in rents, of its real Estate, and the revenue derivable from its farm.—The houses to be leased for no longer a time than twelve months, at any one time, the lots of ground and lands, for five, Ten, Fifteen, Twenty or twenty five years ; but in no instance for a longer time than twenty five years, at any one time ; revertible back, at the end of the time for which they may be leased, with all the improvements on them, (said improvements, to be Free of Costs, to the lessor.) to be released for shorter periods, and at higher rates ; by which means, the rich or those who are in easy circumstances, will be made to assist in some measure, in the support and education of the poor.—They, the Directors, (to be elected as aforesaid) are permitted however, at any time, (when they have money on hand or Stocks of this Fund,) when opportunities offer of making good investments of it, in real

Estate, (say lots of Ground or houses, and lots of ground, situate in the City of Baltimore, its suburbs or vicinage ; or tracts of land in its immediate neighborhood, yielding rents or which may be made to yield rents ;) to invest such parts thereof, as they think proper, (such purchase, to be approved, by the Mayor and City Council of the City of Baltimore,) In such real Estate ; and also, when an opportunity or opportunities offers of acquiring such a tract or tracts of land, as will be wanted for the Institution, (For the establishment of its Farm, (at cheap rates,) to purchase them.—The houses yielding revenue, as also those of the Schools Farm, I recommend and direct to be kept constantly insured against the risk of fire, so that if an Accident should occur, there would be means to reconstruct them.—I recommend also to the Directors, (to be elected as aforesaid,) to apply to the Legislature of the State of Maryland for an act of incorporation, for said Institution, (subject always however, be it understood, to the Conditions herein provided for.—)

And for the purpose of setting forth and explaining, more particularly and fully, (if possible,) my intention and desires, in relation to this institution, I will add, that the object I have in view, (and which occupies my whole soul, my desires, and my affections,) in founding this Institution, *Is the great one, of rescuing from ignorance, and idleness, and of a consequence from Vice, and ignomy, Millions upon Millions of the destitute Youth, of the large Cities of the United States, and the bringing them up, in Knowledge and virtue, to industry and labor, to such an Age as, (their principles, being fixed and stable,) they can be apprenticed out to worthy and honorable men, for the acquirement of the various Mechanical Arts, and by that means, formed to be useful, and Saved to their Country and the World.* (For that the neglect of education in Early life, (permitting children to live and grow up in idleness and ignorance,) is the most fruitful source of Crime, none will deny ; If communities therefore would carefully guard, that no children grow up without education and employment, and provide a home for the Orphan, and the offspring of the vicious, and of those, who not only neglect to educate their children, but contaminate them by their own bad-example, they will do much, very much, towards drying up the fountains of vice, and of lessening Crime ;—It is not however the intellectual cultivation of

youth, alone, which should be attended to but their Moral, Physical and Religious cultivation, should, in a superior degree, occupy our especial care.)—In accordance then with this object, it is my desire, and I request the Directors (to be elected as aforesaid,) to purchase a tract or tracts of rich and productive land, (so that its product may assist, at least, to support the Institution;) In a situation high and healthy for the establishment of the Institution; to contain some Three hundred, Four hundred, Five hundred, a Thousand, Two or Three thousand acres, more or less as may be wanted; laying within one, two, three five, ten or Twenty miles, (or even, a greater distance,) of the City of Baltimore; (as the Directors may determine,) whereon, (under such regulations, as the Directors, to be elected as aforesaid shall establish;) the said Youth, shall labor in all work appertaining to the cultivation of the earth; Say, In plowing, hoeing, harrowing, Spadeing, Mowing, reaping, gathering, housing, thrashing, Sowing, planting, gardening, Carting, waggoning, making of all Agricultural instruments, rearing, and attending to animals, rearing, and attending to the Silk Worm and the Mulberry Tree &c. &c. &c. &c. at the same time that they are progressing in their education; until such a period as they attain the proper age, when, (their education Completed,) they shall be apprenticed out, for the acquirement of the various Mechanical Trades.—It is my desire, and I request the Directors (to be elected as aforesaid,) to rear up to labor, educate and support in said Institution as great a number of the poor, and destitute Male Children, and youths, of the different Maritime Cities of the United States, (which are too generally *hot beds*, of vice,) taking those first, which belong to the City of Baltimore; then, those from the Towns and Villages of the State of Maryland; and Thirdly, those from the different large Cities of the different States of our Happy Union; paying the expenses of their removal from their homes, to the Institution;) as the revenue of rents, arising from the real estate of this bequest, and from the Farm, will support, which I hope will be at least to the number of One to Two thousand; and in time, I hope (with wise management may be made to support Ten thousand.—It is my wish and desire, and I request the Directors, (to be elected as aforesaid) to erect the buildings of the Institution, in Stone, or brick, in a style of taste and elegance, but plain, of great

solidity, (intended to stand for ages.) Airy and of proportionate Elevations.—In closing those my explanations and desires in relation to this, the Institution of the “School Farm,” It will be permitted me, to express my conviction that this Institution will not long remain the only one, of the kind, in the vicinity of that Noble, Philanthropic, and high minded City, But that a Sister one, will soon be made to spring up, by its humane and generous Sons, (an offering on the Alter of Charity,) destined to rescue from the ignorance and vice, the Female Children and Youth of the Poor, the destitute and vicious of our Country.

And for the management of the General Estate, or fund, for the education of the Poor, which I, have herein willed and bequeathed, to the Mayor, Aldermen, and Inhabitants, of the City of New Orleans, in the State of Louisiana, and the Mayor, Aldermen and inhabitants of the City of Baltimore, in the State of Maryland, and their Successors, for ever, I hereby declare, that my intention, is not, that any part of said General Estate, or revenue from Rents, arising from said General Estate, shall go into the hands of the Corporations, of said Cities ; But that they, the said Corporation, shall for ever have a supervision over it ;—I therefore in consequence, request, authorize, and direct, the respective City Councils of the Three Municipalities of the City of New Orleans, on the First Monday of January, of each and every year, to elect one respectable Citizen, out of each of said Municipalities, who shall be a resident therein, (but who shall not be members of said City Councils at the time,) who shall be Commissioners of the General Estate ;—Which Three Commissioners, so elected, shall serve for the term of Twelve Months, and until a New Election, on the first Monday of January of the following year, shall be made, by the said City Councils, of Three Commissioners, to replace those of the preceding year, (none of whom shall be eligible as Commissioners, for two consecutive years.) and so on, from year to year, to the end of time ; and the Three Commissioners, so named, in Conjunction with the Three Agents to be appointed, (as hereinafter directed) by the Mayor and Aldermen of the City of Baltimore, in the State of Maryland, (Which Three Agents) so named by said Mayor and Aldermen of the said City of Baltimore, shall have equal powers, with said Three Commissioners,

elected by the City Councils, of the City of New Orleans, and an equal vote, on all affairs of business, as they will represent an equal interest.) Shall have the sole management of said General Estate, the Leasing and renting of all its lands, lots of ground, houses, &c, &c, the cultivating of its estates, with the black people, thereon if (any Estates are in cultivation at the time of my death,) the crops, made on which Estates, when sold shall be considered rent ; The collecting of its rents leases &c. &c. and the giving receipts therefor ; the paying of the Annuities as herein before ordered and bequeathed, and in fine, doing all acts necessary to its full and perfect management, as herein pointed out and directed.—For this purpose, they will take an office, in some Fire proof house, in the City of New Orleans, employ a Confidential Clerk or Secretary, and keep regular Books, accounts, &c. &c.—They, the said Commissioners, and Agents, of my General Estate (to be named as hereinbefore and hereinafter provided for,) are hereby permitted, directed and Authorized by me, (if they should see fit, and proper so to do,) at such time, as the Fifteen years, are near expiring, during which the Slaves are to labor for my General Estate, after my death, before being sent to Africa, to take the Nett amount of two or three crops of such Estates, as they are cultivating, and purchase therewith, an equal number of Slaves, (if there is still Slaves in our Country for sale.) with those, they are about to send away ; which Slaves, So purchased, shall labor on the plantations, belonging to the General Estate, for fifteen years, from the day of their purchase, and after said Fifteen years of service, be also on their turn, sent to Africa ; and their number may be again renewed by purchase, in the same mode, and manner ; serve also fifteen years, and be sent to Africa ; and so on, as often as the Commissioners and Agents of the General Estate, may see fit and proper, and that there is Slaves to be purchased, by which means, a two fold object, would be accomplished, Viz : a revenue from the Estates cultivated, greater than what they would yield, by renting them out ; and the returning every Fifteen years, an additional number of the human race, Christianized and Civilized, to the land of their forefathers.—)My Executors, (herein after named,) will hand over to Said Commissioners and Agents of the General Estate, of the City of New Orleans,

and of the City of Baltimore, all the Title deeds of my real Estate, with all other papers, and documents not necessary to them, the said Executors, to be deposited in said office;— They the Commissioners, of the General Estate of the City of New Orleans, And Agents, of the General Estate of the City of Baltimore, to Consider themselves, at once in possession, as I hereby give them Scisin, and put them in possession,) of All said real Estate, from the day of their nomination ; (which nomination I recommend the City Councils, of the City of New Orleans, And the Mayor and Aldermen, of the City of Baltimore to make, immediately after my decease.) And on the settlement and winding up, of my Affairs, by them, the Executors, (herein after named,) they will place all my Books of accounts, papers &c, &c, in the hands of the Commissioners and Agents of the General Estate, to be named by the City Councils, of the City of New Orleans, and the Mayor and Aldermen of the City of Baltimore, to be placed in said office, for safe Keeping.—And at the end of each year, (or half year, as may be thought best,) after the payment of the different Annuities and all other attending expenses ; The Commissioners Appointed by the City Councils, of the City of New Orleans, and the Agents, representing the Mayor, Aldermen and inhabitants of the City of Baltimore, will settle their Accounts, each party, dividing, and taking the one half, of the remaining nett revenue of the year, for the intents and purposes, as herein before, and herein after ordered and directed.—The Agents representing the City of Baltimore, will remit the amount received by them to the Commissioners, named in Baltimore ; and the Commissioners elected by the City of New Orleans, will receive the proportion, accruing to the said City of New Orleans, carry it to the Account, of the Public Free Schools, Fund, in one of the Banks, in the City of New Orleans, and Keep Seperate Books, and Accounts, for said Fund, and of every thing in relation to the Public Free Schools.— (The management of the Public Free Schools, of the City of New Orleans, and its Suburbs, and the Fund belonging to said Schools, the Agents of the City of Baltimore, have no power over, or concern in.)—Certified Copies of the accounts of the General Estate Fund, shall be forwarded to the Corporation of the City of Baltimore, annually, to be examined by it and published in Two, of the Newspapers of that City, and the Corporation of the City of Bal-

timore shall also, publish in two of the Newspapers of said City, annually, a Copy of the Accounts of the Free Schools Fund, its disbursement, and State, with a statement of every thing relative to said Free Schools.—Copies also of the Accounts of the General Estate Fund, shall be delivered to the City Councils of the City of New Orleans, who shall name a Committee from their own Body, to visit the books, examine and Audit the said accounts annually, and at all other times, when they may think proper ; (as well, the accounts, of the General Estate, as of the Free Schools Fund.) and keep up and Support, a general Supervision, over the General Estate, its accounts, Funds, management, and real Estate, as also over the Free Schools, and every thing that relates to them.—The annual accounts, as well of the General Estate, as of the Free Schools Fund, shall be published in Two of the Newspapers of the City of New Orleans, yearly, with a particular statement of the situation of the Schools, and every thing Concerning them.—It is my wish and I direct the Commissioners, for the City of New Orleans, (to be named as herein before and herein after set forth,) to establish as many Schools, as may be necessary and wanted ; so that, if possible, every poor child and youth, may receive an education. The Schools should be established in different parts of the City of New Orleans, its Suburbs, Liberties, and outskirts, in such Situations, as would be nearest the residences of the poorer Classes, for whom those institutions, are alone intended ;—They will invest such part of the Fund, as will annually accrue to the Mayor, Aldermen and inhabitants of the City of New Orleans, from the revenue of rents, of the General Estate, as will be necessary, in the purchase of suitable lots of ground, and the erection of proper and permanent buildings, in Brick, for the Schools, and places of residence, for the Teachers ; and the residue of the fund, will be made use of, for the payment of Teachers, for Books, Stationary, and other attendant, and necessary expenses.—And I request, Authorize and direct, the respective City Councils of the Three Municipalities of the City of New Orleans, *on the Second Monday of January of each and every year*, to elect, Two (other) respectable Citizens, as Commissioners, out of *each* of said three Municipalities, who shall be resident, in said respective Municipalities, from which they shall be elected, (but who shall not be Members of said City Councils at the

time,) which will be Six Commissioners; and with the three Commissioners, to be elected by the said respective City Councils, of the three Municipalities of the Cities of New Orleans, *On the First Monday of January of each and every year*, (as herein before provided for,) will make *nine* Commissioners, in All; who shall be Commissioners, for this purpose;—which Commissioners so elected, shall serve for the term of twelve Months, and until a new election, *on the Second Monday of January*, of the following year, Shall be made by the said City Councils, of the three Municipalities, of the City of New Orleans, of Commissioners, to replace those of the preceding year, (none of whom shall be eligible as Commissioners, for two consecutive years,) and so on, from year to year, to the end of time.—And the said Six Commissioners, (to be named as aforesaid,) shall have equal powers, in the Management of the Free Schools Fund, (which will accrue to the Mayor, Aldermen and Inhabitants, of the City of New Orleans, in the State of Louisiana, annually, from the Revenue of rents, of the General Estate,) the Schools established under it, and every thing in relation to it, with, the Three Commissioners, (to be named, (as herein before provided for) by the said City Councils of the Three Municipalities of the City of New Orleans, *on the First Monday of January of each and every year*.) *But they, the said Six Commissioners*, (to be named as aforesaid, by the said City Councils of the Three Municipalities of the City of New Orleans, *on the Second Monday of January, of each and every year*,) shall have no power, concern or management, in the affairs of the General Estates; *as the affairs of the Said General Estate*, are to be managed, transacted and conducted, *Solely and exclusively*, (as herein before and hereinafter provided for,) by the Three Commissioners, to be named, *on the First Monday of January, of each and every year*, by the City Councils of the Three Municipalities of the City of New Orleans, in the State of Louisiana, and, the Three Agents, to be named by the Mayor and Aldermen of the City of Baltimore in the State of Maryland, and by them only.—And I request, Authorize, and direct, the Mayor and Aldermen of the City of Baltimore in the State of Maryland, on the First Monday of January, of each and every year, to elect one respectable Citizen, out of each Ward, of said City, its Suburbs, Liberties, and outskirts, but who shall not exceed, Nine in

number nor be members of said City Council at the time, who shall be Commissioners, for this purpose; which Commissioners, so elected, shall serve for the term of twelve Months, and until a new election, on the First Monday of January, of the following year, shall be made, by the said Mayor and Aldermen, of Commissioners, to replace those of the preceding year, (none of whom shall be eligible, as Commissioners, for two consecutive years.) and so on from year to year, to the end of time;—And the said Commissioners, (named as aforesaid,) will take an Office, in some part of the City of the Baltimore, employ a Confidential Clerk, or Secretary, and keep regular Books, and Accounts, Shewing the application and disbursement, of all sums of money which will come into their hands, from the Agents, appointed by the Mayor and Aldermen, of the City of Baltimore, (in manner as herein after set forth,) to represent their interest in the City of New Orleans, and to receive, and remit it to them;—And the said Commissioners, (to be named, as herein before provided,) will establish as many Schools, as may be necessary, and wanted, so that if possible, every poor Child and Youth, may receive an education.—The Schools should be established in different parts of the said City of Baltimore, its Suburbs, Liberties, and outskirts, in such situations, as will be nearest the residence, of the poorer Classes, for whom those institutions, are alone intended.—They, the said Commissioners, will Invest, such part of the Fund, as will annually accrue to the Mayor, Aldermen, and Inhabitants of the City of Baltimore, from the revenue of rents, of the General Estate, as will be necessary, in the purchase of suitable lots of ground, and the erection of proper and permanent buildings, in brick, or stone, for the Schools, and places of residence for the teachers; and the residue of the Fund will be made use of, (as far as wanted therefor,) for the payment of the Teachers, for Books, Stationary, and other attendant, and necessary expenses.—The Mayor and aldermen of the City of Baltimore, will appoint annually, (or as often as they may See fit or proper,) a Committee from their own Body, to visit the Books and Accounts, Kept by said Commissioners of the Free School Fund, to examine and Audit said accounts; and will keep up and support, a General Supervision, over the said Schools, their management, expenditures, funds, and every thing that relates to them.—And, for the purpose of managing the affairs, of the Gene-

ral Estate, or Fund, in the State of Louisiana, in which the City of Baltimore, is equally interested, with the City of New Orleans, I hereby Authorize and direct, the Mayor and Aldermen [of the City of Baltimore, in the State of Maryland, to elect, appoint, and name, from time to time, as they may see fit and proper, (and to change them, and name, elect, and appoint others, in their lieu and place, at any time, they may see fit and proper.) Three persons, as Agents, in the City of New Orleans, (or, whom they may send to said City of New Orleans.) to represent their interest, in said General Estate, and to act for them in all respects, and in all things which concern said General Estate; which said Three Agents, shall, jointly, with the three Commissioners to be appointed by the City Councils of the City of New Orleans, manage, Conduct, and administer in all respects said General Estate, as herein before, and herein after, provided for and set forth ; and shall have equal power, and an equal Vote, (in all affairs which concern said General Estate;) with the said Three Commissioners, to be appointed as hereinbefore provided for, by the City Councils of the City of New Orleans—I recommend to the Commissioners to be appointed by the City Councils, of the City of New Orleans, and the Agents to be appointed by the Mayor and Aldermen of the City of Baltimore, to represent their respective interests in the General Estate, in the City of New Orleans, to keep all such houses and buildings, as belong to the General Estate, or may hereafter belong to it, regularly insured against all risk by Fire, by which means, in case, any of said houses or buildings, shall be destroyed by said element, the means would be ready to reconstruct them; and to apply to the Legislature of the State of Louisiana, for an act of incorporation, (subject always, however, to the conditions provided herein, of said General Estate.—I also recommend to the Commissioners, (to be elected as herein before provided for,) as well those of the City of New Orleans, as those of the City of Baltimore, charged with the management of the Free Schools and the Free Schools Fund, of said respective Cities, to apply to the Legislatures, of their respective States, for Acts of incorporation, for their respective Free School Institutions, (Subject always, however, to the conditions provided herein,) Should it be found necessary, and desirable to have said Institutions incorporated.

No compromise shall ever take place between the Mayor, Aldermen and Inhabitants of the City of Baltimore, in the State of Maryland, and the Mayor Aldermen and inhabitants of the City of New Orleans, in the State of Louisiana, and their Successors, in relation to their respective rights in said General Estate ; Nor shall one party receive from the other party, by agreement, a certain sum of Money, Annually, (or otherways, for their respective proportions, in said General Estate, nor shall either party, sell, their respective rights, under this Will, in the said General Estate, to one another or to others ; But said General Estate shall for ever remain, and be managed, as I have herein pointed out, ordered and directed.— And should the Mayor, and Aldermen of the City of Baltimore, in the State of Maryland, and the Mayor and Aldermen, of the City of New Orleans, in the State of Louisiana, or their Successors in Office, combine together, and Knowingly and Wilfully, violate any of the Conditions herein before and hereinafter directed, for the management of the General Estate, and the application of the Revenue arising therefrom, then in that event, I give and bequeath, the rest, residue, remainder, and accumulations, of my said General Estate, (Subject always however to the payment of the aforementioned Annuities.) to the States of Louisiana, and of Maryland, in equal proportions, to each of said States, of half and half, for the purpose of educating the poor of said States, under such a general System of Education as their Respective Legislatures shall establish by Law.—(always understood and provided however, That the real estate thus destined by me for said purpose of education, shall never be sold, or alienated, but shall be kept, and managed as they, the said Legislatures of said States, shall establish by Law ; as a Fund, yielding rents, forever ; the rents only, of which General Estate, shall be taken, and expended, for said purpose, of educating the poor, of said respective States, and for no other.) And it is furthermore my wish and desire, and I hereby Will, that in case there should be a Lapse, of both the legacies, to the Cities of New Orleans, in the State of Louisiana, and Baltimore, in the State of Maryland, or either of them, wholly, or in part, by refusal to accept, or any other cause, or means, whatsoever, then, both or either of said legacies, wholly, or partially so lapsed, *shall inure*, as far as it relates to the City of New Orleans,

to the State of Louisiana, and as far as it relates to the City of Baltimore, to the State of Maryland, that the Legislatures of those States, respectively, may carry my intentions, as expressed and set forth, in this, my last Will and Testament, into effect, as far, and in the manner which will appear to them the most proper.—(It will be permitted me, here to observe, that I am and long have been Convinced, That the first, most imperative, and Sacred duty, which each and every Government on earth, is bound to perform, (and which Rulers, and Legislatures cannot avoid the performance of, but under the heaviest responsibilities to Heaven;) is that, of providing by Law, for the education of every child, within the limits of their respective Governments; To that effect, Parents, and Guardians of youth, should be made, under heavy penalties, to send their Children to Schools, supported, (under a System of general taxation, on real Estate;) at the sole expense of the Government.—)Now, with the view of setting forth, and explaining more fully and particularly, (If 'tis possible,) my desires, and intentions, as expressed in the foregoing dispositions, of this, my last Will and Testament, in relation to my General Estate, I will add, that the First, principal, and chief object, I have at heart, (the object which has actuated, and filled my soul from early boyhood, with a desire to acquire fortune;) is the education of the Poor, (without the cost of a cent to them;) in the Cities of New Orleans and Baltimore, and their respective Suburbs, In such a manner that every poor Child, and youth, of every Color, in those places, may receive a common English education; (*Based however, be it particularly understood, on a Moral and Religious one*; That is the pupils, shall on particular days, be instructed in Morality, and Religion, and Shool shall be opened, and closed, daily, with prayer.) And in time, when the General Estate, will yield the necessary funds, (for in time, its revenue, will be very large.) over, and above what will be necessary to the education of the poor, of those two Cities, and their respective Suburbs; It is my desire, and I request, that the blessings of education, may be extended to the poor, throughout every Town, Village, and hamlet, in the respective States of Louisiana, and Maryland; and was it possible, through the whole of the United States of America.—For this purpose, and this only, (my desire being, that one dollar shall never be expended to any

other purpose;) I destine the whole of my General Estate, (Excepting only my black people, the legacy bequeathed the children of my Sister Jane, and that to herself;) to Form a fund, in real Estate, which shall never be sold, or alienated, but be held, and remain forever Sacred to it alone.—The nett annual revenue of rents of said General Estate, to be equally divided, (one half to each,) between the said two Cities, of New Orleans and Baltimore, so soon as the Annuities are paid off, which I have charged the General Estate or Fund, to pay; the last of which Annuities, will probably be paid off, in forty or fifty years, from and after my death; from which period, (the time when said Annuities will be paid off,) the whole revenue of rents, arising from said General Estate, or Fund will be received, for the sole purpose, of Educating the Poor, as I have herein before set forth;—And in the mean time, (the time, between the period of my death, and the period when said Annuities will be paid off in totality,) the one half of the revenue of rents, arising from said General Estate or Fund, is destined to said purpose.—(In the course of my observations, through a long life, having seen almost every bequest, or endowment, of the nature of those, I have herein made, perverted, after a certain lapse of time, from their intended purposes, and either sold, or so changed, as to serve other, and private ends; I determined therefore, in consequence, by placing one City and its Agents or Representatives, as a check over the other, to guard, by that means, the interests of both; This arrangement, I hope, will become the means of carrying down to the latest time, this bequest and secure its application forever, to the purposes intended by me.—It would have been an easy matter for me, to have purchased real Estate in the City of Baltimore, for the one half of the Amount of my Estate; but then, and I so done, my object would not have been accomplished; the danger of its alienation, and having it turned aside from its original intent, would have existed in full force. To avoid which, I placed the whole of it in one City, and State, and made another City and State, equally interested in its preservation and correct management for the Mutual benefit and security of both.

I trust, the Most High, will Bless the intention, and render it effectual.—The mode I thus adopted, will also serve, I trust, as a ligature, (though but a small one,) to bind the different parts of our

Country together ; and should it be found on trial, to work well, may induce other, well wishers of their species, and the Institutions of our Common Country, to do the same, and thereby bind together other Cities and States, of our greatly blessed and happy Country, in brotherly affection and love, to the latest time.—I have also long seen with regret that a spirit inimical to the rich, is felt and entertained by the poor, nurtured and kept alive in their bosoms, as it is by designing and bad men, for their own wicked purposes ;—They are told that the rich, are their Natural enemies ; That the God of Nature, made all men Equal, and that it is sinful for one Man, to appropriate to himself, more of the riches of this world, than his Neighbor ;—with much more, to the same purport ;—Believe it not, my Friends ; be assured, that they, who tell you so, are your greatest Enemies ; the enemies of your peace, and happiness.—Those feelings of Jealousy, which the poor entertains of the rich, is wrong ; It is sinful, and contrary to the laws of our Divine Creator ; who has shewn in his works (as in his words,) that he did not intend a perfect equality to exist among men.—As he has not made All men equal in Strength, in Stature or intellect, neither has his decrees established an equality of fortune.—Let Man then bow with humble resignation, to the Divine Will.—The poor should look on the rich, in the light in which they really, and truly, Stand towards them ; That is, as Reservoirs, in which the Most High, makes to flow, the rich Streams of his beneficence, to be laid up, and husbanded for his allwise, and all seeing purposes ; and for Seasons of distress and affliction to the poor.—Instead then, of looking on them as their greatest Enemies, they should on the Contrary, consider them as they really are, their best friends.—This is the position all rich men, (whose hearts occupy the right place in their bosoms,) stand in towards the poor.—*Besides*, Let the the poorer Classes of the World be consoled, assured, that the labor loving, frugal, industrious, and virtuous among them, possess Joys and happiness in this life, which the rich know not, and cannot appreciate.—So *well* convinced am I, (after a long life, and intercourse with my fellow men of all classes,) of the truth, “ That the happiness of this life, is altogether on the side of the virtuous and industrious poor,” that had I children, (which I have not ;) and a fortune to leave behind me, at death, I would bequeath, (after a

virtuous education, to effect which, nothing should be spared;) a very small amount to each, merely sufficient to excite them to habits of industry and frugality, and no more.—As the poor mans friend, then, I recommend to him, to honor and respect the virtuous rich, and to lay those observations to their heart and to store them up in their mind ;—And to the rich, I would say, (If they see aught, in them, corresponding with their own feelings, and worthy of their regard ;) “ Give them an occasional reflection.”—Hoping thereby, that the World may advance in happiness, in virtue and holiness.) —I request my Executors (hereinafter named,) to see that my funeral is plain made without parade, and with the least possible expenses.—And, I was near forgetting, that,) I have still one small request to make, one little favor still to ask, and it shall be the last ; It is that it may be permitted annually to the Children, of the Free Schools, (situate the nearest, to the place of my Interment,) to plant and water, a few flowers, around my grave.—This little act, will have a double tendency;—It will open their young and susceptible hearts, to gratitude and love, to their Divine Creator, for having raised up, as the humble instrument of his bounty to them ;) a poor, frail, worm of earth, like me ; and teach them at the same time, “ What they are, whither they came, and whence they must return.”

And to enable my Executors (herein after named,) to execute this, my Last Will and Testament, I hereby give unto them, Seizin of all my personal Estate, Money, Stocks and Bonds on hand ; as well, as all debts, owing to me, by Bills, Notes, Bonds, and Mortgages, deeds, or Book, accounts ; as also the furniture and effects in, and about the house in which I reside, Cattle horses &c, &c. putting them in possession thereof, and authorizing them, my said Executors (herein after named,) to recover and receive the Amount, of all said stocks, Bonds, Bills, Notes, Bonds and Mortgages, deeds, Book accounts, &c, &c. with all dividends, and interest, which may accrue thereon ; and to sell said furniture, and effects. —and likewise to pay all debts owing by my Estate to others, should there be any debts, owing by it,—In the different Acts of incorporation, contemplated and mentioned by me, in this my Last Will and Testament, to be passed by the Legislatures, of the State of Louisiana, and Maryland, for the purpose of Carrying out the

objects I have in View, It is my wish and desire, shall that there be an express provision, in each of said acts of incorporation, prohibiting the Administrators, or officers of the respective Corporations, from ever Selling or alienating, in any manner whatever, the real Estate acquired in any way, either by purchase, (by means of the funds arising from, and received under this Will, and Testament;) or otherways, and held, and owned by said Corporations.

Finally, I nominate and appoint, Christian Roselius, Judah Touro, Abial Dailey Crossman, Lewis Philip Pilié, Jonathan Montgomery, Joseph A. Maybin, William E. Leverich, and François Bizoton D'Aquin, (all eight of the City of New Orleans in the State of Louisiana,) Benjamin C. Howard, John P. Kennedy, John Spear Smith, Brantz Mayer, Henry Didier, (Merchant,) and John Gibson, son of the late William Gibson, Clerk of the Court, (all six of the City of Baltimore, in the State of Maryland;) Henry Clay, of the State of Kentucky, the present President of the American Colonization Society, of the City of Washington, in the District of Columbia; R. R. Gurly, Secretary of the American Colonization Society, of the City of Washington, in the District of Columbia; and Walter Lowrie, Secretary of the Board of Foreign Missions, of the Presbyterian Church of the City of New York, State of New York, Executors of this, my last Will and Testament.— (and in the event of the death, of François Bizoton D'Aquin, previous to my decease, then I nominate and appoint, his brother, François Adolphe D'Aquin to replace him as an Executor, of this, my last Will and Testament.) and give to said Executors, Christian Roselius, Judah Touro, Abial Dailey, Crossman, Lewis Philip Pilié, Jonathan Montgomery, Joseph A. Maybin, William E. Leverich, François Bizoton D'Aquin, Benjamin C. Howard, John P. Kennedy, John Spear Smith, Brantz Mayer, Henry Didier, John Gibson, Henry Clay, R. R. Gurly, and Walter Lowrie, full powers, without the interference of Judicial, or extra Judicial Authority, to carry the same into effect, according to the true intent and meaning thereof.—Authorizing and empowering, as I hereby do, in the event of absence from the State, refusal to qualify, resignation or death of the other Executors;) Any three of the said aforementioned Executors, to act, and carry out my intentions, under this, my last Will and Testament. Recom-

mending to them (my said Executors ;) to see, that said intentions, are in all respects strictly complied with.—And I do hereby revoke and Annul all other Wills, heretofore made by me.—In Witness whereof I, the said John McDonogh, have to this, my last Will and Testament, (the whole written, dated and signed with my own hand.) Contained on twenty four pages, placed my signature at the foot or bottom of each page, and my seal, and signature at the foot or bottom of this, my last Will and testament on the twenty fourth page.—This my said last Will and Testament, executed from motives of prudence ;) in duplicate, in my dwelling house, in the Town of Macdonogh, State of Louisiana on this, the twenty ninth day of December, in the year of our Lord, Eighteen hundred and thirty eight. (1838.)

(Signed)

JOHN McDONOGH. (Seal.)

Ne Varietur—28th October, 1850.

Signed

A. M. B. Judge

—ENVELOPE.—

“This Envelope Contains my Olographic Will,” 2dly,

(Signed)

“JOHN McDONOGH,”

“Macdonogh, opposite New Orleans, December 29th 1838.”

Filed October 28th 1850.

STATE OF LOUISIANA.

FIFTH DISTRICT COURT OF NEW ORLEANS.

I, Prosper Le Blanc, Clerk of the Fifth District Court of New Orleans, do hereby certify that the above and foregoing Thirty one pages, do contain a true copy of the original Olographic Will of the late John McDonogh, on file and of record in this office, in the matter of the Succession of John McDonogh, opened in this Court, and now on the records thereof under the number 4112.

Eight words erased, null, and two words interlined approved.



In testimony whereof, I have hereunto set my hand and affix the Seal of the said Court at the City of New Orleans, the Fourth day of November, in the year of our Lord, one thousand eight hundred and fifty, and in the Seventy fifth year of the Independence of the United States of America.

P. LE BLANC, *Clerk.*

M E M O R A N D A
OF INSTRUCTIONS
TO THE EXECUTORS OF JOHN McDONOGH,
TO BE OPENED AND KEPT BY THE EXECUTORS.

MEMORANDA ; Being reflections, opinions and recommendations, addressed by John McDonogh to the Executors of his Estate named in his last will and Testament, and to the Commissioners and agents, (to be appointed by the City Councils of the City of New Orleans, and the Mayor and City Council of the City of Baltimore) of his "General Estate," As said Memoranda, Recommendations &c &c, may, he hopes, be of service to them, in various ways, in the winding up of said Estate, and in the management of the General Estate.—He requests they may be copied into one of the Books kept in the office of the General Estate, for preservation, Reference, and use.

The Inventory of my Estate (as directed by my Will) to be made out by a Notary Public (assisted by my Executors) must remain on record in the office of said Notary Public, in his current Book of Record, from which my Executors will be pleased to obtain certified copies, and have them placed, say, one copy in the archives of the City Councils of the City of New Orleans ; one copy in the City Council of the City of Baltimore ; one copy in the office of the General Estate in New Orleans ; and another copy in the office the Free Schools and the Free School Fund in the City of Baltimore in the State of Maryland ; All for safe keeping ; So that if an accident or accidents should happen to one, or more copies of said Inventory, other copies thereof would be safe. It will also be

copied from those original and certified copies into the Books of those Institutions, of said Offices.

And Whereas all the land papers and title deeds of my Real Estate of every kind and nature, will remain and be placed for safe keeping in the office of the General Estate in the City of New Orleans, under the care of the Commissioners and agents of said General Estate : I request said Commissioners and agents, (as it is most important that all said papers, documents and title deeds, should be carefully preserved ; said General Estate being deeply interested in their preservation and safe keeping) to have certificate copies taken of each, and every Land title paper,)many of them being the original title deeds, of which no record or copy exists, but those in my possession), and Title deed, officially, (that is notarial copies of each, and every one of them, duly certified by the respective Notaries public, before whom they were originally executed, and then legalized by the Governor of the State.—And to be still more particular and exact, (knowing as I do the great importance of the object.) I mean, a copy of each paper or document, through the whole chain of Title, up to the originals, (and including the originals,) from the different Governments of France, Spain and the United States of America, in each, and every title to each separate piece of property.) and said copies on duplicates, of each and every Land paper, document or Title deed (a complete set of copies of the whole series of documents or Title deeds) to be remitted with the greatest care by some safe private conveyance, to the Commissioners of the Free Schools, and Free Schools Fund in the City of Baltimore in the State of Maryland, to be placed in the office of said institution for preservation and safe keeping, : In the event that should an accident take place in either City, and one sett of copies be lost by fire or otherways, that they might be immediately after replaced by another series of copies ; so that two setts of copies, may if possible forever exist, one sett in each city of New Orleans and Baltimore.—I request also, that duplicate copies of all plans of land and lots or ground, laid out and divided into Lots and Squares may be maid out and remitted to Baltimore, with full and complete Lists of all the property belonging to the General Estate, with descriptions of its precise situations, measurements, prospects, value &c &c. By which means each office in

each city will be in possession of all information relative to said General Estate, and of duplicate copies of every document, Title deed, Plan &c &c, appertaining and belonging to said General Estate.—And which they the said offices of said institutions, (besides having and preserving the original copies) *will have copied in each office*, in a Book kept for the express purpose, as a still further security to their preservation.

And whereas in everything that will concern the management of the General Estate, from the most important of its affairs to the most minute ; from the keeping of its Books and Documents to the Leasing and Renting of its real Estate ; from the Receiving and collection of said Rents to the care and preservation of its Estates, Houses, &c &c, and more especially to the gradual increase of its revenue: MUCH, very much will depend on the honor, probity, Wisdom and Business talents and habits of the gentleman who will be appointed its Secretary ; It will be permitted me then to recommend, that great care and precaution should be at all times used in the making of this appointment, and no one entrusted with it who did not stand high in the estimation of their Fellow Citizens for all those qualifications.—BESIDES, the engagement taken with him (whoever he may be) should only be during good behavior, and satisfaction given by him in all respects in the fulfilment of the duties of the office.—And if it should so happen at any time, that a gentleman possessing all the necessary qualifications to fill the office could not be met with or obtained here, in the city of New Orleans, that then such a one should be sought for in some other part of the United States, and induced to come here, to act as its Secretary, under a good salary for its services.

As it will be very important to have the institution of the General Estate, incorporated by a Law of the Legislature of the State ; I recommend in consequence to the Commissioners and Agents of the General Estate, to apply to said Body by Memorial at its first Session, after their appointment, for the passage of such a Law.—Recommending that said Memorial should be given for presentation, to some of the most influential members of said Body, and their support of it through the respective Houses, requested.—Perhaps the Governor of the State, if spoken to, would make mention of it in his annual Message to that Body, and recommend the

passage of a Law for its incorporation ; seeing the object and vast importance of the Institution to the State and the World.—

So soon as the Law (by the Legislature of the State) incorporating the Institution of the General Estate shall be passed, I recommend to the Commissioners and Agents of said Estate, immediately after, to apply by Memorial to said Legislature, (and to every subsequent Legislature, until the demand is accorded) for a Law, exempting forever from taxation *All Property, real and Personal*, belonging to said General Estate (or which may thereafter belong to it) laying within the State of Louisiana,—Seeing the purposes to which it is destined.—I trust that the Wise and enlightened members, composing the Legislature of the State of Louisiana, will not refuse the passage of such a Law ; seeing that the whole and entire revenue of said Estate, goes to charitable uses in the State, and to the education of its own citizens ; saving thereby to the State itself an immense expenditure, which would otherways have to come out of its coffers.—

Similar applications to the last recommended above, should be made to the different City Councils of the city of New Orleans, praying that the Real Estate laying within the respective limits of the different Municipalities, belonging to said General Estate, should be exempted forever by Law, from all Taxation, seeing the uses to which its revenue is forever destined.

So soon as the Law (by the Legislature of the State) incorporating the institution of the General Estate, shall be passed, I recommend the Commissioners and Agents of said Estate, immediately thereafter to apply by memorial to said Legislature (and to every subsequent Legislature, until the demand is accorded), praying that an Act may be passed, providing that no prescription shall ever run against any Real Estate belonging to this Estate, which shall be taken possession of or held by others.—The object in such a Law would be. That whereas much Land belonging to this Estate, lays in various outparts of this State, persons might unknowingly to the Commissioners and Agents of the General Estate, seat themselves down on it, and if permitted to remain thereon for Thirty years, (the present Law of prescription of the State being such) would acquire Title thereby.—Such a law would therefore protect it for ever.

After the passage of the Law (by the Legislature of the State) incorporating the Institution of the General Estate, I recommend to the Commissioners and Agents of said Estate, to apply by memorial to said Legislature (and to every subsequent Legislature, until the demand is accorded) praying, that an Act may be passed *Appointing* the Secretary of the General Estate (for the time being, whoever he may be) an *Auctioneer* for the purpose of Leasing at Public Auction, the Lots of Ground and other Real Estate, belonging to said General Estate.—The object of this would be that the General Estate might have its own confidential Auctioneer to transact its business, (as all its Leases should be publicly made at Auction after due notice by advertisement in the Public newspapers of the city,) and by that means save also much expense in Commissions, which would otherways have to be paid to auctioneers.—

And Whereas Mr. Andrew Durnford, a free man of color of the Parish of Plaquemine of this State, is at this time indebted to me a large sum of money by mortgage on his Sugar Estate situate in said Parish; Now, should it so happen that at the time of my death, said debt still remains unliquidated and owing to me; I in that case request my Executors, (he being a worthy and an honest man and my friend) to wait the payment of said debt with him, Andrew Durnford, and to give him time to pay it off, on his paying an Interest thereon of six per cent per annum, for such time as they shall wait with him, the payment thereof.—Well understood, however, that the amount of the crop, which he will make on his Plantation, he will annually pay over to them, on account of the Principal and Interest of said debt, until the whole amount thereof is liquidated and paid off.—

And whereas in my last Will and Testament, I did not in relation to my old servants (whose freedom I willed to be given them here, in New Orleans (provide any support, (as I did not wish to add more writing than I could help, or add to its length;) I will now add a request to my Executors, that should any of them, from age or weakness, (as they are now all hearty and strong) stand in need of support, that Fifty Cents a week may be paid to such of them, as became so situated, and that such be permitted to occupy one of

the Houses they have been accustomed to live in with me, until their decease.

I beg leave to recommend that when Lots of ground are leased on long Leases, the Lessees should be bound to erect buildings of certain descriptions thereon, with foundations and walls of certain proportions; to raise and fill up the Lots with earth; pay all Taxes thereon during the term of the Lease; comply with and fulfil all Municipal requirements; keep all Houses and Improvements placed thereon insured against risk by fire &c, &c; (which Buildings with all other Improvements placed thereon, once erected, shall not be pulled down by the Lessees, but shall revert back at the end of the Lease, with the Lot or lots of ground to the Lessors, free of cost or expense to them the Lessors;) Said Houses and Lots of ground, after reverting back at the expiration of the First Lease, improved as they will be, should be rented out on short leases, (the rent payable monthly,) at higher rates. By which means a large revenue will accrue to the Estate in a short lapse of time, which must greatly and yearly increase.—

The mode and manner of Leasing should be at Public Auction, putting up a Lot to be bid off at the highest price offered for it, on such and such conditions, (say, those of filling up with earth, paying all Taxes, complying with all Municipal requirements; Buildings of certain descriptions and proportions, Insurance against Fire, to insure the means of rebuilding in case of accident &c &c;) Under a Lease of one year, Five, Ten, Fifteen, Twenty, or Twenty Five years as the case may be, paying an interest (Quarterly or Quarter Yearly,) at the rate of six, seven, or eight per cent per annum, as the case may be, on the price of the Lot or Lots of ground adjudicated.—

Public Sales should be made of Lots of ground on Lease in the City of New Orleans, as also in the Rear of the City, say on Poydras, Hevia, Perdido, Girond, Freret, Saint Mary, Saint Mark, and other rear streets; as well as in the rear of the Suburbs Livandais and Washington, above and below the City, as in Macdonough, according to the wants of the public, and the demand for them. No large quantity of Lots should be thrown into the market at any one time, but the public should be supplied as space was wanted to build on.—Say, a public sale of one hundred, two Hun-

dred, or Three Hundred Lots, (Lots of thirty feet in front each) Every two, three or five years as wanted, and the prices high; That is to say, fair.—However, on reflection it would be well perhaps, to lease out many of the Rear lots, even at low prices, as the Lessees would be improving, filling them up, and giving additional value to them.—

And Whereas the Titles, under which I claim and hold certain Lands (laying principally in the State of Louisiana, some small part thereof laying on the Pearl River in the State of Mississippi, and called the Florida Grants,) Which Lands are the 15-16th parts, or Fifteen Parts out of Sixteen Parts, of, (120,000 Arpens) One Hundred and Twenty Thousand Arpens; Original Grantee Geronimo La Chiapella;—the (2-3rds) two third parts, of (90,000 Arpens) Ninty Thousand Arpens; Original Grantees: Louis and Alexander Declouet; and the (1-3rd) one Third Part of (40,000 Arpens) Forty Thousand Arpens; Original Grantee: Vallery John De Lassise;—are as yet unconfirmed by the Government of the United States, (although Good and valid :) To assure therefore their confirmation, I request the Two Cities of New Orleans and Baltimore, as also the two States of Louisiana and Maryland, through their respective Legislatures, to memorialize the General Government, praying it to confirm the Titles to said Land; (seeing that they are the property of the poor of those two Cities, a Fund for their education, that they are in reality destined to do, and accomplish that which is the Duty, the First and most sacred of Duties of the General Government itself to perform and see performed, namely; to educate its citizens.) or otherways to give them (my General Estate) their choice of other public Lands laying in the State of Louisiana, in exchange for them or in their lieu, and place acre for acre; (seeing that the General Government have sold a great many of the Lands laying within my Surveys.) Which I trust and doubt not the General Government will do; (viewing the justice of the claim and the validity of the Titles; Indeed I consider those Titles already *virtually confirmed* by the Supreme Court of the United States, in their decisions in the suits of Foster and Elam vs Neilson; Aredando (I believe) vs the United States; Perchman (I believe) vs the United States, and others; (See also various reports of Committees, and

Bills reported in Congress at various times ; memorials from the Legislature of Louisiana; and especially an able report from the the late Edward Livingston, when Secretary of State of the United States, when called on by a Resolution of Congress for information on the subject of those claims.) Those decisions of the Supreme Court of the United States are to the effect, that the Government of the United States, are bound under the Treaty with Spain of 1819 to confirm said Titles.—The Supreme Court not being competent to come to the relief of the claimants, it requiring the action of the General Government in the first place; it being a political question as to limits.)—“The citizens of Louisiana have cause to complain of the injustice of the General Government, on the subject of our Land claims and Titles ; (the Great, the crying injustice.) and none more than myself.—From the Treaty of Paris of 1803, by which the United States acquired the Province of Louisiana,—down to the present day, now Thirty Six years, our Land Titles remain unsettled and unadjusted.—Had Congress passed a Law within a week after the ratification of said Treaty, as they were bound to do both by its letter and spirit, confirming every title to Land within the limits of the Province ceded, which was a valid title under the governments of France and Spain, (which had preceded that of the United States in its occupancy and sovereignty,) the whole of the claims would have been adjusted at once, now thirty six years since.—Instead of which, thirty six years on the contrary have passed away, and the claimants appear now no nearer the termination of this state of uncertainty, and ruin to them, than they were on the day of the ratification of said Treaty of 1803.—Let justice then, (though late, when I am in the Grave and after a long life of supplication,) be done us at last.—The General Government in my claims at least, can have no objection to pass a law confirming them at once, (seeing that the Reuenué to be derived from them is destined for the purposes of educating her own citizens, the children and youth of the two States of Louisiana and Maryland,) and in the case of the after claimants, passing a Law, permitting them to go into the Courts of the Country, for decision on their validity ; under the condition that they the claimants shall take other Public Lands, acre for acre, for such part of their claims, (if

confirmed by the Courts.) as have been confirmed by the United States to others, by right of settlement, or have been sold by the United States.—Such were the provisions of a Bill which passed the Senate of the United States in Congress, at three different sessions of the last years, but was not acted on by the House of Representatives from the lateness of the session when sent from the Senate, as said Bill was not reached in its order previous to the breaking up of Congress.—The Titles by which I claim those Lands are perfect in every respect ; they are not simple grants or donations by the Ancient Government, but purchases from it for valuable considerations. They are not only stamped with every form required of the Local Government of Louisiana, Surveys, Plots, Patents, &c. &c, but were sent to Madrid in Spain, and were ratified by the King in Council.—Those Lands cost me large sums of money, acquired with GOD's blessing, by honest industry, and the sweat of my brow, Now thirty four and thirty five years since ; and I have been deprived of their use and kept out of my property, rightfully and justly acquired, by a Government which styles itself honorable and just, a Government of the People ; which Government for a long series of years has refused even to pass a law permitting the Claimants to go before the Courts of the Country, for a decision on their validity or invalidity of their claims ; has cut us off in short from all means of obtaining justice in any way. Let it be permitted me now to ask, (an American by birth, an old man, one devoted to his Country and its Institutions, and whose father waded with the Father of his Country through the hottest battles of its revolutionary struggle for Liberty and Equal Laws,) would the most despotic Governments of Europe, (under a plighted faith, the faith of a Treaty,) have so acted ; and to answer the question and say they would not.—Not one on the long list would have so acted, could have so acted. Justice would have been meted out to their subjects similarly situated within a month from the date of the Treaty Obligation.—Besides on the score of interest, have the Government gained anything by so acting?—No, but lost immensely lost in various ways, (saying nothing of the loss of honor.) In addition to doing great injury to the State of Louisiana, by keeping the Land, unsettled on, and waste, for upwards of thirty years, and her population sparse, when otherways

she would have been filled up and compact.—The whole quantity claimed by Individuals, besides is trifling, both in quantity and value, and of no consideration, a drop in the bucket as it were to the General Government. The Florida claims (on those located between the Mississippi and Perdido Rivers) not exceeding in the whole (900,000) Nine Hundred Thousand Arpens, (french) about 700,000 Acres, “Seven Hundred Thousand English Acres,” and the residue of the large claims of Louisiana, say Bastrop’s, Maison Rouge &c &c not exceeding $1\frac{1}{2}$ millions of French Arpens, about 1.100.000 English Acres.—

For the base of a permanent revenue (to stand through all time with the Blessing of The Most High,) I have preferred the earth, “a part of the solid Globe.” One thing is certain, it will not take wings, and fly away, as Silver and Gold, Government and Bank Stocks often do. It is the only thing in this World of ours, which approaches to anything like permanency ; or in which at least there is less mutation than in things of man’s invention.—The little riches of this World therefore which The Most High has placed in my hands, and over which he has been pleased to place, and make me his Steward, I have invested therein, that it may yield (its Fruits) an annual Revenue, to the purposes I have destined it forever.—

Whereas eight or ten or more Bricklayers, Carpenters, Painters &c &c, will be constantly wanted to attend to, and keep in repair and good order, the Houses, Buildings, Fences &c &c, belonging to the General Estate, I recommend in consequence to the Commissioners and Agents of said General Estate, to employ Black Mechanics, which shall belong and be owned by said General Estate, (so long as there is slaves in the Country,) for said purposes, (letting them go out Free to Africa every Fifteen years, and replacing them by others whom they will purchase.—)As a means of great economy, as otherways such repairs would be a source of great expense to the Estate.—In some of the vacant Lots of Ground belonging to the Estate, they can have their Work shops, for their Mechanics, deposits of Lumber, Brick, Stone, Lime, Sand, Carts, Animals &c &c. By all which means much expense may be avoided, and money saved to the Estate.—And if buildings are to be put up on Lots of Ground in the City,

or on the Estates in cultivation in the country, owned by the General Estate, their own Mechanics can erect and build them up.

The Plan which my mind formed (influenced, I trust by the Divine Spirit,) and has pursued, for near Forty Years, to accumulate and get together a large Estate, in lands, lots of ground, in and near the City, Houses &c &c, for the Education of the Poor, will in time I doubt not, yield a revenue sufficient to educate all the Poor of the two States of Louisiana and Maryland, and perhaps the poor of many other States of our Happy Union. To effect and secure that, I have laid its Foundations deep and broad, in and all around the City of New Orleans in every direction, so that for centuries to come, (if managed in wisdom) its Revenue must and will go on increasing in amount with the growth and extension of the City, (which is destined to be one of the greatest in extent and Population, the world has ever seen.) until its Rents shall amount to some millions of dollars annually.—If therefore those who will come after me, and will have the management of this store (which I have strove to amass and pile up,) will labor to increase and render it productive with the same fidelity which I have husbanded it, and striven to make it a great one ; then indeed it will become in time a huge mountain of wealth, and will yield its increase to the Honor of God, and the benefit of Generations yet unborn, through all Ages of the World.

In relation to man's happiness, constituted as he is, I have always been convinced that the intellectual cultivation of the Youth of our country *alone*, without moral and religious cultivation cannot secure it, or give permanency to the Free Institutions of the Country, as they now exist. Education, separated from Religion, yields no security, to morality and Freedom.—

I will now speak a few words of myself, (having often seen and felt that my conduct, views and object were not understood by my fellow-man) constrained as I feel myself to be and bound so to do, and to declare ; that my Soul has all my life, burned with an ardent desire to do good, much good, great good, to my fellow-man, (as it was chiefly by that means and through that channel, that I could bend, greatly bend, to the Honor and Glory of my Lord and Master, which was my Soul's first, great, chief object and interest.) I trust, I pray that the mode I have adopted to effectuate it, will

receive the Divine Blessing.—I have notwithstanding much, very much to complain of the World, rich as well as Poor.—It has harassed me in a thousand different ways.—Suits at law, of great injustice have been instituted and carried on against me, to deprive and take from me property, honestly acquired, (for I have none, nor even would have any, that was not acquired by honest industry, and the sweat of my brow) and when obliged to seek justice through Courts of Law (after waiting years and years with those who were indebted to me, and refused payment) it has often and often been refused me.—Many and many times, have Juries of my fellow-men given me a stone, when I asked them for bread.—As one instance (out of great numbers I could mention,) in a suit at Law instituted by me against a rich Widow and Orphans (a succession Estate) for notes to a large amount which I had endorsed for her husband in his life time, to serve him, (without any interest on my part, but through friendship) and had to pay said notes, and against which there was no offsets, the Lawyers for the defence, having nothing that they could urge or say, in addressing a Jury of my Fellow-men why a verdict should not be given in my favor for the whole amount claimed with interest and costs, confined themselves to repeating over and over “Hold in mind Gentlemen of the Jury, we pray you, that John McDonough is a rich man and the Defendants are a poor widow and orphan children”; “Hold in mind Gentlemen of the Jury, that John McDonough is a man of unbounded wealth, who does not stand in need, or want the amount of those notes, and our Clients are a poor Widow and Orphans who are ruined if you give him a verdict for the amount”. And what, (will it be believed or credited) was the verdict of this Jury of my fellowmen? Why that I should receive about the one tenth part of the amount of the notes, I had paid of the Defendants, without interests or costs, and capped the climax by saying “It was as much as the Widow they thought could conveniently pay, and I was rich and did not stand in need of it,” could afford to lose it.—On the same claim I applied for a new trial, which was granted me, and on its taking place before another, but a different Jury, the same pleadings being made by the Counsel of the Defendants, viz: “Remember—Gentlemen, John McDonough is a rich man, our clients are a poor Widow and Orphans”) I obtained a verdict

in my favor for the whole amount of my claim with interest and costs of Court.---(Now, feeling those things as I always have, most keenly, what is let me ask the duty of a Juror, of a man? Is it to dispense (that sacred attribute of the Divinity) Justice, equally to all men, or is it to consult the faces of men?)---Of Judges and their Judgments, I have also much, very much to complain,—but I refrain.—What care does it not become Governors and Legislators to use, in their appointments to such offices; to secure high-minded, honest, honorable and pure men.---As I have said above, I again repeat that I have much to complain of the World, of men in general.---They said of me, he is rich, old, without wife or child, let us take from him then what he has.---Infatuated men, they know not, that that was an attempt to take from themselves, for I was laboring and had labored all my life, not for myself but for them and their children.---Their attempts however made me not to swerve, either to the right hand or to the left, (although to see, and feel so sorely their injustice and ingratitude, made me often to lament the frailty, the perversity, and sinfulness of our fallen nature.) I preserved an onward course, determined, (as the Steward and the Servant of my Master) to do them good, whether they would have it, or whether they would not have it.---And I have so strove, so labored to the last;---the result is in the hands of Him who fixes and determines all results; he will do therewith as seemeth good unto himself.—

Whereas from Infancy up it has been the wish of my heart that my ashes should repose and mix in death with those of my Earthly Parents; (as in this life there was nothing so loved by me, so dear to me as my Father and my Mother,) and as they are interred in different Graves, in some of the ancient places of Burial of the city of Baltimore, (known to my sisters and their families who reside there.) It is my wish, and I pray the Executors named in my last Will and Testament, (should it not be permitted me by The Most High to go on there before my death, and attend to and have it done myself, as I am very anxious and hope to do,) to take measures, (Those gentlemen will excuse and pardon the great trouble I occasion and put them to,) and have a Family Vault of lasting Materials and great solidity erected in some one the New Burial Places of said city of Baltimore;—to have the remains of

my Parents raised and placed therein, and my Body sent on there, that it may be placed along side of theirs, in said vault, to crumble and mix with theirs, to await the Resurrection at the last day.—

I will now with the view of communicating to the Commissioners and Agents of the General Estate, my opinion in relation to certain parts and parcels of said Estate, throw a few notes together, and then close those memoranda.—

The eleven entire Squares of lots of ground (which contain upwards of Three Hundred Lots) laying at the lower end of Poydras St, on both sides of said street, in the Second Municipality of the City of New Orleans, are very valuable. They should be laid out and divided into lots of 26 or 28 feet in front, by about 90 or 100 feet deep. A General plan should be made of each Square, (as each Square can be divided into upwards of Thirty Lots,) and said lots sold out on Revertible Leases of Twenty Five Years (say 2 or 3 squares one year; in 2 or 3 years thereafter 2 or 3 other squares, sold out and so on,) under certain conditions of raising them with Earth, building on them, paying Taxes and all other expenses, fulfilling all Municipal requirements &c &c.

The Two Thousand Lots of ground and Upwards (of Thirty feet front each lot) (which I estimate there is still remaining unsold by me, belonging to this Estate, and which there will be and will remain the property of this Estate at my death, as I do not intend to sell or dispose of any more of them,) within the present limits of Macdonough, (as per my original plan of division,) with many Houses, Buildings &c &c, on them, are very valuable and becoming more so every day :—should be sold out in Revertible Leases of twenty five years—say 100 or 200 Lots, (of Thirty Feet Front) every Two or three years, as wanted for building on, under certain conditions.—Some of the Squares laying in the Rear of said Town, might be leased by the Square for the purposes of gardening &c &c. The Trees standing on most of those Squares are valuable, and should be sold for Cord Wood.

The Land in the Rear of Macdonough and adjoining it, bounded by the side line of Land belonging to John S. David above, and Toussaint Mossy below, and F. Verret in the Rear, containing between Three and Four Hundred superficial or square acres, will have to be in a few years, (when the demand for more lots shall

arise) laid off by the Surveyor into Squares and Lots of Ground, by the continuation of the streets of Macdonough, which run from the River towards the Rear, further back, through said Land, and laying off other new streets, running parallel with, or up and down the River to intersect, and cross those which will run back from the River, and a Plan made of it.—This body of Land is sufficiently extensive to form out of it, between Two and Three Thousand Lots of Thirty feet in front each Lot, and will be in time of great value.—In the mean time, (until laid out into Squares and Lots) it might be leased in small parcels or tracts by the year, or for four or five years at a time, to be cultivated in Gardens for the supply of the City with Vegetables.—I am cultivating at this moment a part of it, in a very valuable Garden. The greater part of it is covered with wood, which is valuable, and should be sold, to be taken off.—

The small Tract of Land, laying at the Upper end of Macdonough, having a front of one hundred and fifty eight feet french measure on the river Mississippi, adjoining land of J. S. David above, running back about forty acres more or less, until it intersects in the Rear, the line of the Land of F. Verret, and fronting in its whole depth, on the lower side, Hamilton Street in Macdonough, is very valuable, and should be laid out into Lots fronting on said Hamilton Street, (Thirty feet front each Lot) with depths running across the Tract 158 feet deep, by which means 200 to 300 Lots can be made out of it.—There is a large convenient House, and other Improvements on it.—In time when the neighbour above, shall lay out his Land into Lots, it will be much to his interest to obtain the privilege to communicate his streets across this tract of Land, with the streets of Macdonough, which he might be permitted to do on giving other Lots of Ground of an equal number of square feet, (well situated) in the Suburb he will lay off, to the General Estate, to indemnify it for the loss of ground it would sustain by the opening of the Streets.—

The Four Thousand (4.000) Acres of Land, and upwards, (being the rear of what is called the Caselar Estate) laying Forty Arpens in the rear, on from the River Mississippi, (except twenty feet in front which lays fronting on the Mississippi, and runs back Forty Arpens to the Rear Land) and running back on in the Rear,

to the Bayou Villars, on River Ouacha, purchased by me on the 28th March 1837, of Emile Sainet, before Felix De Armas Notary Public, as also two other tracts adjoining said tract below, fronting on said Bayou Villars, purchased by me, say one of them on the 9th June 1837, the other on the 1st July 1837, of Sosthene Raman, Syndic of the Creditor of John B. Degray, before F. Seghers, Notary Public, containing (the two tracts) about eleven hundred Acres, making in the three Tracts, upwards of Five Thousand Acres of Land, MUST become in time of immense value;—(though it may be Fifty or One Hundred years first, or before it will be wanted.) It lays within *one mile* on a stright line of Macdonough.—The plan or determination, which I had formed in my mind, in relation to this valuable Body of Land, in connection with the Town of Macdonough, is this: The Land, laying in between Macdonough, and those Five Thousand Acres of Land, belong to or are owned by two persons, say Furcy Verret, and the Heirs or children of Prosper Marigny. I had therefore determined whenever those two tracts were brought into the market for sale, (as it must and will be no doubt before long; As one body, that of Mr. Verret's, is a partnership concern owned by different persons, in undivided interests; the other body belongs to Minors, the children of the late Prosper Marigny, to whom it can not be worth a dollar for use, (as it is low ground, and they own only the low land Prairie and Swamp, after Forty Arpens from the River,) and who no doubt will be very desirous to sell it when arrived at the age of majority) to purchase them: By which means the whole Body, together with Macdonough, (which is the point or outlet on the River Mississippi,) and the Land laying in the Rear touching Macdonough, now owned by me, would form a body of Land of Ten Thousand Acres, laying opposite and in front of the city of New Orleans.—Which property alone and itself, would become in time, a Mine of Wealth, such as no individual would possess in the United States.—In the event of my acquiring those two intervening Bodies of Land, which separate now Macdonough from my Five Thousand Acre tracts, my further plan is, to extend the streets, walks and avenues of McDonogh, on (by degrees as wanted) through the whole Body, as it will all in time be wanted, for the immense population which is to inhabit New Orleans.—In furtherance then of this plan, and the interest

of the General Estate, I recommend to the Executors named in my last will and Testament, (should I not succeed in making those purchases myself personally, before my decease) to purchase if possible, the whole of the Tract belonging to Mr. Verret from the Bank of the River Mississippi, back, to the Bayou Villars on Ouacha, and that of the Miners Marigny as now owned by them, say the rear of their late Father's tract from a point, distant Forty Arpens from the River Mississippi back to said Bayou Villars.—(As it is only that part which is owned by them, the whole of the front on the Mississippi, Forty Arpens in depth, having been sold out by their late father, previous to his death.)—To effect which purchases, they could sell the Bonds, (or such a part thereof as would be necessary and wanting) of the First Municipality of the City of New Orleans left by me, a part of my Estate, and pay the purchase money with the proceeds. To effect the purchase, however, this request and their intentions in relation to it, should be kept secret, as success in all transactions of business, must in a great measure depend on secrecy.—The Wood standing on this Five Thousand Acres of Land, is very valuable, and must become more and more so every day, not only from the increase of value of the article, but its increase from its yearly growth.—

The One Hundred and Ninety Squares, or parts of Squares of Ground, containing Three Thousand Six Hundred and Ninety Three lots, (3,693 Lots) laying in the Suburb Washington in the Third Municipality of the City of New Orleans, purchased by me on the 5th and 26th of April 1839, of L. B. Macarty, and Madame L. Lalaurie, will become in time of immense value, but I estimate that Fifty to One Hundred Years or more must pass away, before that will take place ; (except indeed that means shall be sooner taken to drain and improve the Ground, when Thirty or forty years in that event might bring them into use, and occasion a demand for them.) But that those Lots of Ground must become in time of great value, nothing is more certain.—From various causes, say from the washing of the ground in front towards the River, by the Rains, carrying earth into the Rear, and the natural decomposition of vegetable substances on them, the surface of the ground is becoming every year, higher and higher.—When a demand will arise for those lots of ground, 200 or 300 of

them should be brought into market, and leased out every two or three years.---The Wood on this Land, (Cypress and other timber) is valuable, and may be sold at public Auction, to be cut down and removed from off the Land, by a certain day, so that another crop may push and grow up, as it is a fact that the Lands of this Country, the low lands of the Mississippi, produce trees of large size, in fifteen years from the root of the old tree, which had been cut down.—

The Land laying in the Rear of the Suburb Livandais, adjoining the Second Municipality of the City of New Orleans, bounded by Saint George Street (the last and furthest street in the Rear of said Suburb) and thence running back, (see my notes on said property in my list of property owned by me in Book.) Containing about Five Hundred (500) Square Acres, purchased by me on the 10th of February, 1836 from Mathew Morgan, J. S. Peters, L. Pierce and Wm. H. Chase, as per deed before Felix Grima, Notary Public; must and will become in time of Immense Value, but it may be Fifty or One Hundred Years first. This Body of Land should be laid off into Farm Lots, and a Plan made of it, under the name of New Suburb Livandais:—The streets of Suburb Livandais leading from the River bank should be extended through it, and intersected by other cross streets, forming it into Squares.—And when a demand shall arise for the Lots for Building on, which will take place in time, Two or Three Hundred of them should be brought into market, and Leased out every Two or Three Years.—I estimate that there is a sufficiency of Land (after deducting for streets) in this tract to form at least Four Thousand Lots of thirty feet in front, each Lot.—(And it may be if my Title is decided under my purchase, to extend beyond the Eighty Arpens, from the River in the Rear, that then there will be Land enough to form Six Thousand Lots.) The Wood on this Land (Cypress and other timber) is valuable and should be sold to be taken off, and removed by a certain time, under the condition that everything not removed by a certain day, should be forfeited and revert of right, back to the vendor.—It is a fact known to the Old Inhabitants of the State, (whatever the cause or causes may be) that all the Swamps, Low Lands and Prairies, both on and off the River (even 50 or 100 miles off the River) is yearly raising and becoming higher.—Prai-

ries, which Fifty Years since were what is called "Shaking and Trembling Prairies," and were generally covered with one or two feet of water, are now high, dry, and in a great many instances cultivated in Sugar Cane, Cotton &c.—

The Forty One or Forty Two Squares or parts of Squares, of Lots of Ground, containing about Nine Hundred (900) Lots, laying in the Suburb Washington in the Third Municipality of the City of New Orleans, purchased by me at Public Auction as per deed of sale, of the Syndic of L. C. Pascal, on the 26th September 1838, before Joseph Cuvillier, Notary Public, (with the exception of Three Squares purchased of the Syndic of Rousseau, February 13th 1839, and of the Sheriff, Syndic of Aubert) Will become in time of great value, but Fifty or One Hundred Years must probably first pass away, before they will be wanted for the uses of the City.—When a demand for them shall arise, they should be brought into market and sold out on Lease by degrees, to meet it.—The Wood on them, (Cypress and other Timber) is valuable, and can be sold every fifteen and Twenty Years, as a new growth of timber immediately springs up, as the Old one is cut down.—

The Four Thousand Four Hundred and Ninety eight acres, and 20-100ths of an Acre of Land, (4.498 20-100ths) laying in the Rear of the Suburb Washington, and adjoining to it, in the Third Municipality of the City of New Orleans, in Township Number 12, of Range Number 12, East, on the East Side of the Mississippi River; for which Body of Land, I hold seventy five certificates of the Receivers of Public Money of the United States, (and must receive *Patents* from the General Land Office of the U. States, if having been sold as public Land by the Government of the U. States, so soon as said Patents can be issued.)—All which said certificates are in my own name with the exception of Twenty Five of them, which are in the name of Mr. Charles Derbigny, but transferred to me, having purchased them of him, "see his deed of sale to me for the quantity of Land, said certificates call for" executed before L. T. Caire Notary Public;—Must and Will, become in time of Immense value, as it is a property of great extent of surface; So great indeed must its value in time be, (say in One or Two Hundred years,) that no man of the present day, I am convinced can estimate it. Every foot of it will be wanted in time by the popu-

lation of the City of New Orleans for Building Lots, as it lays within two, three or four miles, of the centre of the City.—When the time shall arrive that the Lots will be wanted (I estimate that this Body of Land will form at least Forty Thousand Lots ; (40.000 Lots) each lot fronting thirty feet on a street, and having One Hundred and Twenty feet in depth, exclusive of the streets which I allow for in my Estimate.)—It should then be laid out under a General Plan by an able and correct Engineer and draftsman, the streets made to correspond with those of the City of New Orleans, and brought into market by degrees, by leasing out every few years a certain proportion of said Lots.—In the mean time said Land will be filling up, raising and becoming every year higher and dryer. The Wood standing on it may be sold every fifteen years, (as much of it is wooded, and much more Prairie, but which will be wooded in time)—divided into pieces of Ten acres each, and the Wood standing on said Ten acre pieces, sold and taken away, ready for a new growth.—And other parts of it may be leased in small Farms and cultivated for the supply of the New Orleans market with vegetables, until the time shall arrive when it will be wanted for Town Lots.—

I have already in those memoranda said something on the subject of my large Land Titles, comprising (the proportion of them owned by me) nearly Two Hundred Thousand Arpens, (200,000 Arpens) laying in the State of Louisiana, (In what is called the Florida District) which are as yet unconfirmed by the Government of the United States.—As it is probable, however, in the settlement of those Claims, that the General Government, (in accordance with the Bill which passed the Senate of the United States, at three different Sessions of Congress) will insist, that the Claimants shall take other Lands, (acre for acre) laying within the State of Louisiana, for those they claim, (seeing that the General Government have either sold or confirmed by Law, to the Settlers who are seated on them, the greater part of the Lands, for which the Titles of the claimants call)—In that case Lands of great value, or Lands which in time, (and that time not very) distant will become of great value, may be secured to the General Estate ; for those claims of mine, if the proper care and attention is given to the subject of their location, by the Commissioners and Agents of the General

Estate.—The most valuable Lands in the World, may be taken on both sides of the Mississippi River, laying on and fronting the River, below the Fort of Plaquemine, (which have already been offered for sale by the General Government, but were not sold) at this present time not very valuable, but from the Annual overflow of the River and other causes, will in a few years become of immense value.—The same may be said of the Lands on both sides of the Bayou Lafourche, low down on it. The lands in the Parish of Iberville in the rear of and adjoining those I already possess there, laying about five leagues above the Bayou Lafourche, on the Mississippi, a League or two in the rear of the River, and from thence back to, and laying to, and laying on the Atchafayla River, are also very valuable; and much Land may be taken on both sides of the River Mississippi, in the Parish of Plaquemine, commencing five or six Leagues below the City of New Orleans, and from thence running down six or eight Leagues further, laying and beginning in the rear of the River, forty Arpens from its Bank —(called the second depths or conceptions.)—Which in time will be very valuable. In the rear of Terre du Bouf below the City of New Orleans there is a valuable body of Land, as there is also in various places and situations in the rear and off the river, on the Western side of the Mississippi and the Bayous, which lay in the neighborhood and communicate with the Bayou Lafourche low down, say the Cazaus, Grand and Petite, Bayou Black, Bayou Grand, &c. &c. The General Government will, I hope, so shape the law, as to permit the whole of the claims to be laid over again on other Land, as it would be the height of injustice for her to insist on our keeping in the Florida District, such parts of the claims, as were not taken from us by the settlers, or sold by her the General Government, which of course can only be the part of the Land, the least valuable; as it is a natural thing to suppose that the parts of our Land taken up by the settlers, and those parts of it which have been sold by the General Government, must be the choice parts of our claims, However, (as the case may be) whatever Land may be obtained or remain to the General Estate under those claims, should be laid off into small tracks on or off Rivers or Bayous, and leased out to small Planters or Farmers, for use and cultivation.

The Seventy or Eighty Thousand acres of Land laying in the

rear of the River Mississippi on the East side, sixteen Leagues above the City of New Orleans, Back of the Sugar Estates of Madam Fontin, and Rezin D. Shepherd, and the Plantations of Henry Fonteneau, (for a description of which and my opinion of it. I refer to a list of my property in my account Book or Ledger, Pages Fo. 21, 22 and 24.) A part of it lays within Forty Arpens from the River Mississippi, the residue eighty arpens from the River and extends from thence (as per Plan) to Lake Maurepas and the Amité River, a depth of eighteen or nineteen miles.—This body of Land is now at the present time of great value, and in time will become of immense value.—Its soil is amongst the richest that the sun shines on, and every inch of it will be cultivated in time, as very small Levees would keep out the back waters, and make every part of it cultivable.—It must become in time a perfect garden. The timber on it alone (which is of every kind) is a Fortune. Cypress stands on it in sufficient quantities (and of immense growth) to supply twenty Steam Saw Mills for twenty years.—This Body of Land is intersected by several large streams or rivers (the Arcadian Bayou or New River is one which runs through the centre of the whole tract, and approaches near to the Mississippi, falling into Lake Maurepas) which are navigable for Brigs, and Schooners of large size.—If capitalists from New England would come out, with their industry and perseverance, and put up Saw Mills on this tract of Land, paying certain prices to the General Estate for each square foot of timber cut, and sawed up, they would, (at the price at which our sawed cypress lumber sells at here,) soon make fortunes. The whole Tract should be accurately surveyed, a general plan made of it, and the whole divided off into small tracts, and in time leased out to small Farmers for use and cultivation.

The Four Thousand Five Hundred and Ninety Six Acres and 6-100ths of an acre, (4.596 6-100ths Acres) of Land, laying sixteen Leagues above the City of New Orleans on the East Side of the River Mississippi and adjoining the last above mentioned body of Land, (of 70, or 60,000 Acres) above or on its upper side, is situate in Township No 11, of Range No 5, East, on the East side of the Mississippi River, and lays, some part of it forty arpens from the River adjoining Mr. Shepherd's Sugar Plantation, and other

parts of it at Eighty Arpens from the River, are held by me in virtue of Thirty Nine Certificates of the Receiver of Public Moneys of the United States, (being Lands purchased by me at the Government sale, for which *Patents* must issue to me from the General Land Office;) and is not surpassed in quality by any Land in the State.—It is of great value; every foot of it is believed to be cultivable, and is heavily timbered with the most valuable kinds of Wood. A general Plan should be made of it, and the whole laid out immediately in small tracts of Fifty Acres each, and leased out to small Farmers.—

The Six or Seven Thousand Arpens of Land more or less, (being seven tracts which were purchased by me from seven different persons) laying all in one Body on the Bayou Des Familles and Bayou Villars, on River Ouacha, within Four Leagues by land along a fine Road, of the City of New Orleans, (a very easy $1\frac{1}{2}$ or 2 hours ride)—is of great value. There is nothing superior to it in quality in Louisiana, and nearly every foot of it is cultivable.—It is sufficiently extensive to form four large Sugar Estates, is heavily wooded with Timber of every kind, and sufficiently near to the City to supply its market with vegetables of every kind for its daily use.—Though its value is great now, (for it cost me a large sum of money) it must become immensely more valuable in time.—It lays nearly opposite the Lands belonging to me on the opposite side of the Bayou Villars, on Ouachia, in the rear of Macdonough, from which town was there a Rail Road, (which there will be ere long) the distance would be on a straight line but little over three miles.—My intentions are, if spared and permitted so to do, to establish this Body of valuable Land in Sugar Estates, and put black people on them to cultivate and work them.—If that is not done, they should be divided into small Farms, fronting on the different Bayous, say an Acre front by a certain depth, and then Farms in the Rear of those.—A general plan made of the whole Body and leased out.—

The four different tracts of Land, laying on and fronting the Right Bank of the [River Mississippi, at about Twenty Leagues below the City of New Orleans, and which contain, say, one of said tracts eighty or eighty four Arpens in front on the River; another eight arpens in front; another forty Arpens in front;

and the other ten Arpens in front; making in all about One Hundred & Forty Arpens in front on the River Bank, all of them by forty Arpens in depth.—All of which tracts of Land lay adjoining each other and in one solid Body; are of great value and would make three large Sugar Estates. It is the finest Body of Land in that Region of Country, and possesses a noble Body of Timber.—(The timber alone from its situation is worth much money.) If I am spared and permitted, I intend to establish those Lands in Sugar. If that is not done, it should be laid out in small Farms of one or Two Acres in Front on the River, by forty Acres deep, and leased out.—

A short distance above the last mentioned tracts of Land fronting on the River Mississippi, I own two other Tracts of most valuable Land, (the most valuable in that District) containing together, the two tracts, (though they do not lay together, there being a small tract between them) Four Hundred and Thirty Eight Acres and 26-100ths of an Acre. (438 26-100th Acres.) One of said tracts has, I think a front on the River of about Thirty Acres; the other, I think a front of eight or nine acres.—See Township Plot.—Said Land was purchased by me at a sale made by the Government of the United States, and for which I hold two certificates of the Receiver of Public Moneys of the United States, and must receive Government *Patents* for it. It lays in the Township Number 19, in the Range Number 28 East, on the West Side of the Mississippi River.—It should also be leased out in small Farms.—

The Thirty One Thousand Eight Hundred and Sixteen Arpens (31.816 Arpens) of Land, (forming a part of what is known as the Vacherie Dugué), laying at Forty Arpens in the Rear of the Left Bank of the Bayou Lafourche in the Parish of Lafourche Interior; fronts in its whole extent on the Bayou Des Allemans, and the Petite Lake des Allemans. as per plan; (for which see a copy in my Book of Plans.) Said Body of Land lays at about Fifteen or Eighteen Leagues at the City of New Orleans, by the route of the Barataria Canal, and the Lakes in Rear, and must become in time of very great value, from its situation and proximity to the City of New Orleans and the Sea, and the richness of the soil. A considerable part of it is heavily timbered, which, the timber, is spreading and extending yearly more and more. A part of this

Land is now high, and fit to cultivate the Sugar Cane on, and all of it would make fine Rice Plantations.—(It should be laid out in the course of a few years, (as soon as a demand shall arise for it) into small tracts of Forty or Fifty Square Acres each, and leased to small Farmers.—

The Three Thousand two Hundred or Three Hundred (3,200 Arpens) Square Arpens of Land laying in the Parish of Iberville, on the right side of the River Mississippi, Thirty Leagues above the city of New Orleans, and about three miles in the rear of the River, being a part of the Estate of the late Pierre Belly, is among the finest and most valuable Lands in the World; none can exceed them in richness and fertility, and every foot of it is high and cultivable;—Covered with Timber of every description and immense Cane Brakes. The Cypress timber on it alone, (the high land Cypress, which are of immense growth and size, and as thick as trees can stand on the ground) is worth a fortune.—I have been frequently applied to by persons who wished to establish Steam saw mills thereon, to sell them Cypress, and permit them to establish mills on this Land, but always refused; not having time to go and attend to it myself; and without that I might have had my Timber destroyed without receiving payment for the one twentieth part of what would be taken and sawed up. But a plan may be fallen on and adopted by calculating the square feet of timber in each tree, and its consequent value; and then ascertaining how many trees stand on an acre of Land;—the value of the Cypress Timber on each acre of Land would be known with precision. By which means sales could be made of the Cypress Timber standing on ten acres of Land, on twenty, thirty or fifty acres, which should then be surveyed, and accurately marked and bounded; and the purchaser of the timber obligated by contract, to have the cypress cut and taken away by a certain time, (say in one year, two years, or a longer time as might be) under a forfeiture of whatever might remain uncut and unremoved by said day, to the vendor of it.—Some plan of this nature should be adopted, and the Cypress sold. If it can be preserved however, from depredators on it, it will become more and more valuable every year.—As soon as the Cypress is sold, and taken off the Land, (there should be however, on further reflection, a certain number of large Cypress trees reserved from sale on each

small Farm, into which said tract will be divided for the uses, (Buildings, Fences, &c &c) of those who will establish and settle said small Farms.)—the Land should be divided off into small Farms of 50 or 100 square acres each and leased out.—I have reserved a Road, (a private Road of my own through the Front Estate, when I sold off the Front Estate.) back to those lands from the River.—A general plan should be made of the whole of this body of Land, shewing the subdivisions of it into small Farms; the Roads through it and everything else in relation to it.

Adjoining to those last mentioned Lands in the Parish of Iberville, (or close by them) I also own Two Thousand One Hundred and Eighty Eight and 70-100ths) 2.188 70-100ths Acres) square acres of the finest Land in the World, (of same quality as that last mentioned above) laying in the Township Number 11 of the Range Number 13, purchased by me at the Sale of Public Land made by the Government of the United States, and for which I hold fifteen Certificates of the Receiver of Public Money of the United States, and must receive Government *Patents* for them, as soon as issued from the General Land Office.—It is also covered with the high land cypress, and should be managed as I recommend for the last tract above, and leased out. A general Plan with the Tract last above, should be made, shewing their relative position &c &c. The 5400 or 5500 Acres of Land in this and the last above described Tract, I again observe, are of great and immense value.—

The large and extensive Body of Land called the “Grand Cheniere” lays at about Thirteen Leagues below the City of New Orleans, on the right side of the River Mississippi, and about two or two and a half miles in the rear of the River. It lays on each side of a Bayou of that name. (which Bayou commences at Lake Hermitage) fronting on Lake Hermitage on each side of said Bayou, and runs with said Bayou twenty four miles and upwards, toward the Sea, and to the Sea;—having a depth of Six Arpens, *on each side* of said Bayou.—It is a noble, rich and most valuable Body of Land, and should be laid off into small Farms of Four or Five Acres front on the Bayou, with its depth and leased out.—There is a large quantity of valuable Live Oak Timber on it, besides Timber of every other description.—It is one of the richest soils in the State, and there is now several persons living on it, to

whom I have given short leases of small tracts, for the purpose of having the Timber (Live Oak) taken care of and not depredated on.—A general Plan should be made of it.—

The Island, laying on and formed by the Grand Lake, Barataria; the little or small Lake, Barataria; and the two Bayous or Rivers, called, one of them Bayou Saint Dennis, the other Bayou Cabbanaze or Grand Bayou, which Bayous, runs out of Little Lake Barataria, into Big Lake Barataria, lays in the Parish of Jefferson, at a distance of eighteen Leagues from the City of New Orleans, and is believed to contain Fifty or Sixty Thousand Square Acres of Land or more. Some small part of it is high Land; there is a considerable quantity of Live Oak and other Timber on it, and it is fast becoming timbered.—The whole of it, (being a soil of the richest kind) is believed to be highly adapted to the culture of Rice, as by means of small Levees, the Rice Plantations could be overflowed with water at pleasure.—It will in time no doubt become very valuable.

The Tract of Land adjoining, and laying on the lower side of the Town of Baton Rouge, (Forty Leagues above the City of New Orleans) having a front on the River Mississippi of fourteen Arpens, is an immensely valuable Body of Land.—Its position and situation is most beautiful and advantageous, and it possesses one of the richest soils covered with the finest timber.—It will in time, (and that time not far distant) become a part of the town of Baton Rouge, and be wanted for Town Lots; when a Plan will have to be made of it, dividing it into Squares and Lots, by means of streets to be leased out.—In the mean time it should be laid out into small Farms of one Acre each fronting the river, by 20 or 30 Acres deep, or running back to a road which crosses it in the Rear at about that distance from the River;—and then other small Farms, fronting on said Road in the Rear, and running back to the back or rear limit of the tract.—

The Two Thousand and Sixty Five Acres, and 45-100ths of an Acre (2065 45-100ths Acres) of Land, laying on the River Auchene, in Township Number 15, in Range No. 12 East, on the East side of the Mississippi River was purchased by me at a sale of Public Land made by the Government of the United States, for which I hold six Certificates of the Receiver of Public Money of

the U. States, and have to receive Government *Patents* for it, as soon as issued by the General Land Commissioner;—is of great value.—The Au Chene which lays about $1\frac{1}{2}$ miles in the Rear of the River Mississippi, heads about five Leagues below the City of New Orleans on the left side of the Mississippi near to Terre au Boeuff, and runs down towards the Sea keeping about the same distance in its whole course from the River Mississippi.—This body of Land begins about Six Leagues from the City of New Orleans and has a front of about three miles on each side of said river Auchene; said river Auchene running through the centre of it in its whole length.—The Land is of the first and richest quality, covered with Timber of every kind, and has on it a large Body of most valuable Live Oak.—It should be laid out in small Farms of two or three acres in front on the River, (Farms on each side of the River) with all its depth and leased out, reserving all the Live Oak from being touched or cut down.—(Not permitting a Live Oak Tree on any part of the whole tract to be cut down, as that Timber is very valuable and becoming very scarce.—

The Tract of Land of Twenty Four Acres in front and forty acres deep, laying on the canal of the Bayou Lafourche, which leads to the Attakapas, is very valuable. The front on the Canal for a few acres in depth, I am told, is low but after that there is one of the finest and richest bodies of high Land in the World.—It should be laid off in small Farms of one or two acres in front on the Canal, by forty deep, and leased out.—It is heavily timbered, and is an almost impenetrable Cane brake.—

The eleven Hundred and Fifty Nine Acres, and 90-100ths of an acre (1159 90-100ths.) of Land, laying in the Townships Numbers 13 & 14 in the Range Number 14, was purchased by me at a sale of Public Land made by the Government of the United States, for which I hold fourteen certificates of the Receiver of Public Money of the U. States, and have to receive Government *Patents* for it.—It is a most valuable Body of Land, none richer or superior to it.—It is covered with an immense growth of Timber, is an impenetrable Cane brake, and lays, I believe, adjoining the last above mentioned tract, or at any rate in its immediate vicinity.—Should be laid out in small Farms of 50 or 100 Acres each and leased out.

The Tract of Land, containing Ten Acres in front on the River

Mississippi and eighty acres in depth, situate eleven leagues below the city of New Orleans on the Right Bank of the River, adjoining above the Sugar Estate of Mr. Andrew Dunford, is a most valuable tract of the best land of the Country. It should be divided off into small farms of one arpen in front on river, by a certain depth; and then Farms laid off in the rear from a high ridge of Lands which lays there, also of one arpen in front on a road along said ridge of high land, by the residue of the depth of the tract, and leased out.

The Tract of Land containing six hundred and forty acres, (640 acres) laying on the left bank of the Amite River, near Lake Maurepas, being the first bluff or tract of high land on the River in going up it, (on which I formerly had a steam saw mill)—is a very valuable body of Land, in every light in which it can be viewed, as to soil, (being of the first quality,) elevation, situation &c &c. It must be the landing and place of deposit for the shipment of the Produce of a large extent of back country, and in time will be wanted; (a part of it at least) for Town Lots; when it should be divided and laid off into Squares, Lots and streets for a village. In the mean time it should be divided into small tracts for Farms and leased out.—

The Tract of Land containing Three Thousand Two Hundred Arpens, (3,200 Arpens) laying in the Parish of Opelousas, fronting forty Arpens on each side of the Bayou “Ney Pegué,” and forty Arpens in depth on each side,—is well timbered and of middling quality. It should be laid out into small Farms of one or two Arpens in front on the Bayou by forty Arpens deep, and leased out.—

For many other valuable tracts of Land and other pieces of property, laying in the city of New Orleans, its different suburbs and the country around, on which I have no particular remarks to make, or information to communicate to the Gentlemen, who will see carried into execution, my last Will and Testament, or to those Gentlemen who will receive the appointments of Commissioners and Agents to the General Estate, I refer them to a list of my Real Estate kept in my book of accounts. Said Book is marked or labelled out side “Ledger” J. “McDonogh”—

I recommend to the Commissioners and Agents of the General Estate, to have plans made out by their Secretary, and copied into the Book kept for the purpose, showing the division into lots, of

each particular piece or portion of a piece of property, which shall be divided:—Its measurements &c &c with a General Plan or Plans, shewing the particular situation of each piece of property, in relation to that which surrounds it, or which is in its neighborhood.—As also Lists of every Piece of property or Real Estate either in the Country, in the cities, towns or villages, belonging to and owned by the General Estate ; its measurements, place, situation, how disposed of, whether leased or not, to whom leased or rented, for what length of time leased, conditions on which leased &c &c.—Besides opening an account on the Books on the General Estate for every person, with whom it has affairs of business.—

As my object in recommending to those Gentlemen who will have the execution of my last Will and Testament, and the Gentlemen who will be named Commissioners and agents of the General Estate, to take up Lands low down on the River Mississippi, on the Bayou Lafourche, and various swamp and lowlands in other parts of the State ;—if misunderstood by them may occasion their surprise, I will observe that the great object I have in view, (as may plainly be seen) is the gradual augmentation in value of the Real Estate, which will belong to and be owned by the General Estate, for Centuries to come ; by investing at this time small sums of money in large and extensive properties, now at this moment of little value, but which Time, (who is unceasingly at work, and whilst men sleep is actively employed) will make of immense value. (For Time is never for an instant idle, but is constantly and for ever employed, “setting unto man therein a speaking example which says “Labour, Oh man is the honor of thy being” Labour and fulfill the intent of thy creation.”)—so that the revenue arising therefrom, (which alone is to be taken and expended) will go on increasing with the increase of the country and its population, for Centuries to come, and produce means in time, sufficient to educate yearly, Thousands upon Thousands of the Poor of our Country, which God will, I pray of his infinite mercy and goodness grant.—

It will be well to say here in whom I place my hopes, Trust, Belief and Faith, and in the tenets of what church of Christ I have walked.—My hopes, trust, belief and Faith, is in salvation through the perfect, the all sufficient, and accepted atonement of our Blessed

Lord and Master, Jesus Christ.—And I have walked a Presbyterian of the “Presbyterian Church” so called, or that church, the Ecclesiastical Government of which is conducted and ruled by Presbyters.—

I request that a copy of those memoranda, Recommendations &c, may be made out and forwarded to the Commissioners of the Free School and Free Schools Fund in the city of Baltimore, in the State of Maryland, to be by them copied into a Book in their office for safe keeping, as also a copy of my last Will and Testament, also to be copied by them into a Book

sig'd JOHN McDONOUGH.

The slaves mentioned in my last Will and Testament, to be sent to Africa, are already sent and gone there.—

The slaves James Thornton, Noel, John Defuge and Long Mary, (being old and faithful servants) are to be set free here.—

I recommend that Insurance on some of the Buildings, laying in New Orleans, and Macdonogh, be effected in other cities of the United States, (or Europe) besides New Orleans; because if the whole city of New Orleans should be burned down, the Insurance offices would be ruined, and rendered unable to pay the loss.—

I request that a copy of my will, a copy of those notes and memoranda, with a copy of the Inventory of my Estate, may be forwarded to the Governor of the State of Maryland, to be placed in the Archives of that State for the purpose of knowing its rights under my Will through all future time. So that, if it should be attempted hereafter to violate my Will and intentions in any way, that she (the State of Maryland) may know and put it right, or other ways seek her just interest under it. And that the same may be done (for the same purpose and intent) and delivered to the Governor of the State of Louisiana, to be placed in the Archives of this State.—

Should I be cultivating any Estates at my death, on which I have slaves, I recommend to the Commissioners and Agents of the General Estate, to purchase other slaves (Every fifteen years as they are authorised to do by my Will) to cultivate said Estates, (whether profitable or not, as by so doing said slaves will obtain their freedom in Africa fifteen years; which circumstance with the

